



Preliminary Ecological Appraisal

Cordage 46 Limited
Old Farmhouse, Burgate, Fordingbridge, Hampshire
January 2024



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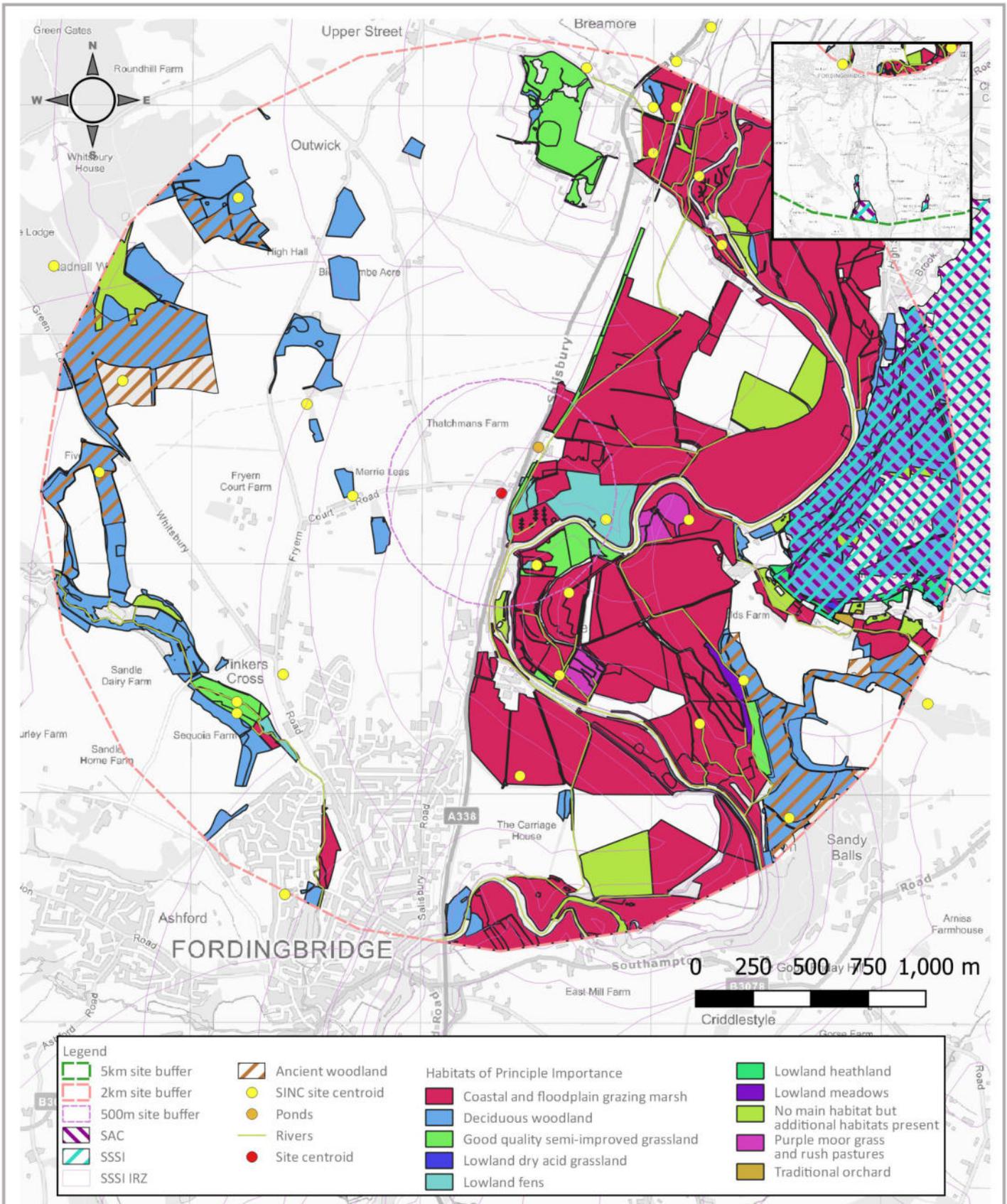
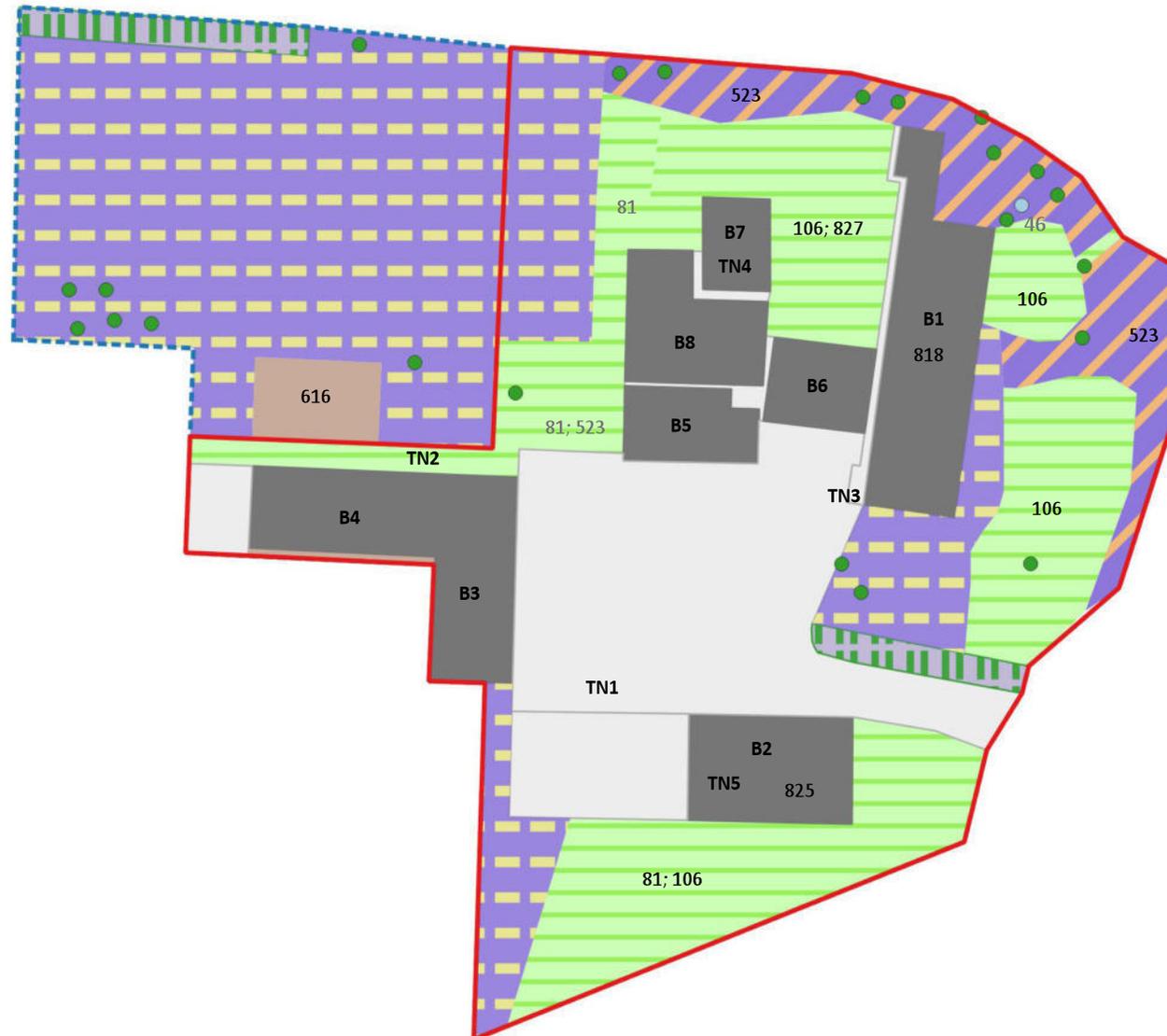
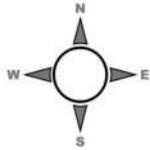


Figure Title Site Location and Desk Study Results			Client/Report Ref: Cordage 46 Limited - C-CGP-010-001-001		
Site Location Old Farmhouse, Burgate, Fordingbridge, Hampshire.					
Figure no: 1	Revision no: 001	Scale: 1:371	 enquiries@arunecology.com www.arunecology.com		
Cartographer: Joseph Baker	Date Drawn 04/01/2024	Reviewed by: Hannah Baker			



Legend

- Development boundary
- Extended site boundary

UK Habitat Classification

- g3c - Other neutral grassland
- h3d - Bramble scrub
- h2b - Non-native ornamental hedgerow
- h3h - Mixed scrub
- u1c - Built-up areas and gardens
- u1b - Developed land, sealed surface
- u1b5 - Buildings
- 32 - Scattered trees
- r1 - Pond

TN Target notes

Secondary code

81 - Ruderal; 827 - Garden; 106 - Mown; 825 - Ruined structure; 818 - residential; 523 - Non-native; 616 - allotment; 46 - ornamental pond (non-priority).

Figure Title:

UK Habitat Classification Survey Results

Client/ Report ref:

Cordage 46 Limited - C-CGP-010-001-001

Site Location:

Old Farmouse, Burgate, Fordingbridge, Hampshire.

Figure no:

2a

Revision no:

001

Scale:

1:750

Cartographer:

Joseph Baker

Date Drawn:

12/01/24

Reviewer:

Hannah Baker

0 7.5 15 m



Photo 1: Displaying an area of other neutral grassland extending from a road verge into the front garden of building B1 on the eastern boundary.



Photo 2: Displaying an area of developed land, sealed surface in the centre of the site.



Photo 3: Displaying target note TN1, a waste pile in the centre of the site, located on developed land sealed surface and building B2.



Photo 4: Modified grassland with ruderal habitat, bramble scrub and mixed scrub with non-native species in the north section of the site.



Photo 5: Displaying an area of bramble scrub located in the western section of the site.

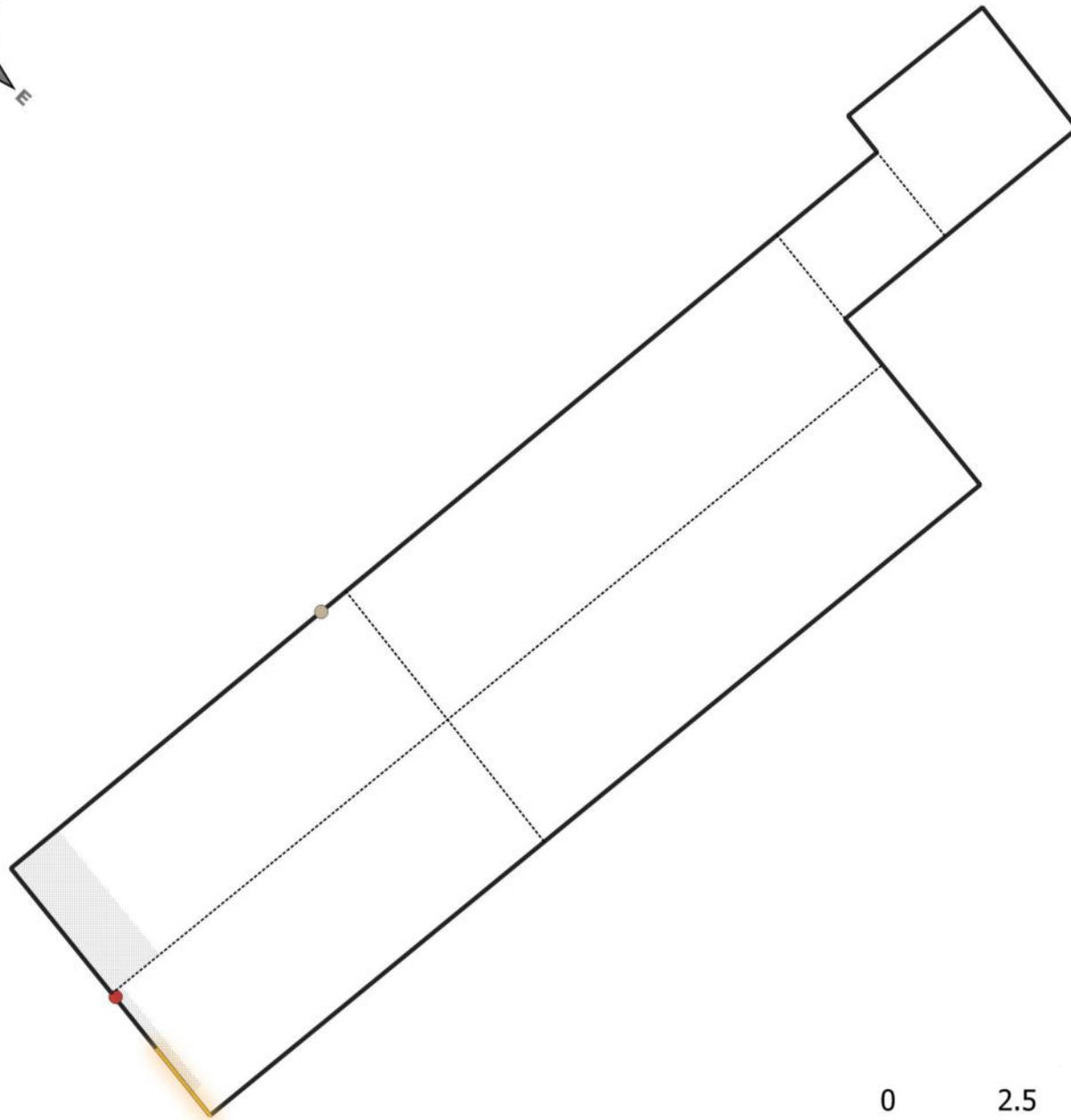


Photo 6: Displaying and overgrown non-native ornamental hedgerow and modified grassland recorded within the site.



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Figure Title			Client/ Report ref:		
UK Habitat Classification Survey - Photographs			Cordage 46 Limited - C-CGP-010-001-001		
Site Location					
Old Farmhouse, Burgate, Fordingbridge, Hampshire.					
Figure no:	Revision no:	Scale:			
2b	001	n/a			
Cartographer:	Date Drawn	Reviewed by:	 enquiries@arunecology.com www.arunecology.com		
Joseph Baker	09/01/2024	Hannah Baker			



Legend

- Building layout
- Roof layout
- Area of lifted tiles
- Gap in wooden beam
- Gap in brickwork
- Missing mortar

Figure Title:

**Bat Preliminary Roost Assessment -
Building B1**

Cordage 46 Limited - C-CGP-010-001-001

Site Location:

**Old Farmhouse, Burgate, Fordingbridge,
Hampshire.**

Figure no:

Revision no:

Scale:

001

Cartographer:

Date Drawn:

Reviewer:

Photo 1: Displaying the northern section and the thatched roof section of Building B1.



Photo 2: Displaying Building B2 a ruined former commercial building located in the southern section of the site.



Photo 3: Displaying building B3 and derelict former commercial building located in the centre of the site.



Photo 4: Displaying building B4 a large garage/ warehouse building located on the western boundary of the site.



Photo 5: Displaying building B5 an open faced structure that is located in the centre of the site.



Photo 6: Displaying building B8 which is a pole barn with heavy vegetation cover located in the centre of the site



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Figure Title Preliminary Roost Assessment - Photographs Part 1			Client/ Report ref: Cordage 46 Limited - C-CGP-010-001-001		
Site Location Old Farmhouse, Burgate, Fordingbridge, Hampshire.					
Figure no: 3b	Revision no: 001	Scale: n/a			
Cartographer: Joseph Baker	Date Drawn 09/01/2024	Reviewed by: Hannah Baker			
			 enquiries@arunecology.com www.arunecology.com		

Photo 1: Displaying the north-west aspect of building B7 with heavy vegetation cover and partial roof collapse.



Photo 2: Displaying the northern aspect of building B6 located in the centre of the site with heavy vegetation cover.



Photo 3: Displaying a broken fascia seal or missing mortar creating an access/egress point for bats under roof tiles on building B1.



Photo 4: Displaying a hole leading to a cavity within a hollow beam on the western aspect of building B1.



Photo 5: Displaying areas of lifted tiles on the western aspect of building B1.



Photo 6: Displaying lifted roof tiles on the eastern aspect of building B1.



Figure Title			Client/ Report ref:		
Preliminary Roost Assessment - Photographs Part 2			Cordage 46 Limited - C-CGP-010-001-001		
Site Location					
Old Farmhouse, Burgate, Fordingbridge, Hampshire.					
Figure no:		Revision no:		Scale:	
3c		001		n/a	
Cartographer:		Date Drawn		Reviewed by:	
Joseph Baker		09/01/2024		Hannah Baker	
 enquiries@arunecology.com www.arunecology.com					



1. Summary and Recommendations

Proposals	<ul style="list-style-type: none"> • Cordage 46 Limited, on behalf of their client, are proposing a development at a property (Grid ref: SU 15340 16315) located Old Farmhouse, Burgate, Fordingbridge, Hampshire SP6 1LX (see Figure 1). • The proposals include the demolition of seven buildings on-site, construction of two dwellings, the renovation of an existing dwelling and associated landscaping to replace existing habitat within the development boundary.
Surveys	<ul style="list-style-type: none"> • Desk study search that included the purchase of records from Hampshire Biodiversity Information Centre; and • A site visit completed on 18th August, 2023 that included a UK Habitat Classification Survey (UK Habs, 2023) and appraisal of the site habitats to act as ecological receptors, including a bat Preliminary Roost Assessment of structures and trees.
Impact assessment	<ul style="list-style-type: none"> • It is not possible to conclude that there will be no impacts arising from diffuse nutrient pollution on the Avon Valley designation (RAMSAR, SPA and SAC) as a result of the development in-line with Natural England’s standing guidance on the designation for any new residential developments. NFDC also set predetermined mitigation for impacts on the New Forest RAMSAR, SPA and SPA for all new residential developments. • No ancient woodland will be impacted as a result of the development. • No Habitat of Principle Importance (HPI) or irreplaceable habitats are present within the site and it is reasonably unlikely that the development will impact nearby HPI to the site, however precautionary mitigation is outlined in this report to ensure good construction practice and pollution prevention. • The site has the potential to act as an ecological receptor for roosting bats, nesting birds, hedgehog and individual slow worm. The dense vegetation recorded within the site and the sites rural location also make badger setts, fox and rabbit burrows (and there use by polecats) a precautionary consideration for the development. Furthermore, the scattered trees within the site also make grey squirrel a precautionary consideration. • Building B1 was classified as having moderate suitability to support roosting bats. The proposals for building B1 will include interior renovation works only, with no impacts to any roof voids or bat PRFs recorded during the bat PRA. • Seven structures were assessed as having negligible suitability for roosting bats and nineteen trees were assessed as having no (‘none’) suitability for roosting bats and as such, bats are considered likely absent from these structures and trees. • In-line with national and local (interim) policy the development will be required to incorporate and achieve measurable net gains for biodiversity and ecological enhancements.



Recommendations	<p>The recommendations below represent a summary only. The full recommendations are outlined in section 6 and should be referenced to in the use of this report.</p> <p>Further Assessments, Surveys and Consultations</p> <ul style="list-style-type: none">• NFDC should be consulted on the requirement for the development to demonstrate nutrient neutrality and any associated mitigation with respect to the Avon Valley designation.• NFDC should also be consulted on any predetermined mitigation requirements for the development with respect to residential developments and the New Forest designation.• A Biodiversity Net Gain Assessment (BNG) should be carried out for the development and a BNG Plan submitted with the planning application in line with NFDCs interim guidance and statutory guidance.• At this time no further bat surveys are required for building B1 as potential impacts to roosting bats will be avoided. If the design of the development changes to include exterior works that could impact the bat PRFs recorded on building B1, two bat emergence surveys should be undertaken in-line with BCT Good Practice Guidelines (Collins, 2023). The bat emergence surveys would be required to determine the presence/ likely absence of bats, characterise any roosts recorded and inform any licencing requirements. <p>Mitigation and Licencing Requirements</p> <ul style="list-style-type: none">• The pollution prevention measures outlined in this report should be followed to reduce site based pollution and prevent any offsite pollution.• The Precautionary Method of Works (PMoW) outlined in this report for nesting birds, hedgehog, grey squirrels and reptiles should be followed during the enabling and construction phases of the development.• Precautionary measures for badgers, fox rabbit and polecat are also outlined in this report and should be followed in the event that a mammal burrow is discovered during the construction phase of the development.• Precautionary mitigation is also outlined in this report for bats with respect to negligible potential buildings (building B2, B3, B4, B4, B6, B7 and B8) in the unlikely event a bat is found during the construction phase of the development. <p>Ecological Enhancements</p> <ul style="list-style-type: none">• The ecological enhancements (independent of any mitigation or BNG requirements) outlined within this report should be incorporated into the design of the development and included within a combined BNG and Ecological Enhancement Plan.
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2. Introduction

2.1 Development Background

2.1.1 Cordage 46 Limited, on behalf of their client, are proposing a development at a property (Grid ref: SU 15340 16315) located Old Farmhouse, Burgate, Fordingbridge, Hampshire SP6 1LX (see Figure 1). The Old Farmhouse property is hereafter referred to as 'the site' and Cordage 46 Limited as the 'applicant'.

2.1.2 The relevant local planning authority for the development is New Forest District Council (NFDC).

2.2 Development Proposals

2.2.1 The applicant seeks outline planning consent for redevelopment of an existing site (as per drawing: 23.3484.000.P5, PLC Architects, 2024) that includes the following proposals:

- Demolition of seven structures within the site;
- Renovation of an existing residential dwelling;
- Creation of three new building comprised of six residential plots; and
- Associated re-landscaping of existing habitats within the site.

2.2.2 The proposals above are hereafter referred to collectively as 'the development' in this report.

2.2.3 A planning application to New Forest District Council for the development is anticipated to be submitted in early 2024.

2.3 Ecology Background

2.3.1 No previous ecology reports for the site were found in a search of the New Forest District Council Planning Portal. The applicant has confirmed to Arun Ecology Ltd that no ecology reports have previously been commissioned for the site.

2.4 Health & Safety Background

2.4.1 No asbestos register was made available to Arun Ecology Ltd prior to attending site. It was noted by surveyor attending site that there are multiple structures within the site that are likely to contain asbestos containing materials (ACMs).



2.5 Brief and Objectives

2.5.1 Arun Ecology Ltd were commissioned on the 7th of November 2023 by the applicant to undertake a Preliminary Ecological Appraisal (PEA) at the site.

2.5.2 The key objectives of a PEA, as per CIEEM guidance (CIEEM, 2017) are as follows:

- Identify the likely ecological constraints associated with the development;
- Identify any mitigation measures likely to be required, following the ‘mitigation hierarchy’, as per BS42020:2013 Clause 5:2 (BSI, 2013);
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (ECiA); and
- Identify the opportunities offered by the development to deliver ecological enhancements and net gains for biodiversity.

2.5.3 The brief agreed with the applicant included:

- The undertaking of a desk study search obtaining and purchasing records of designated sites, Habitats of Principle Importance (HPI), ancient woodland and records of protected species and species of conservation concern;
- Undertake a UK Habitat Classification Survey at the site to record the habitats within the site, assess their conservation value and suitability to act as ecological receptors for protected species and species of conservation concern, including a detailed assessment of the suitability of structures and trees to support roosting bats; and
- Provide a PEA report supported by digitized mapping that presents the methods and results of the desk study and the UK Habitat Classification survey at the site. The report will also include an evaluation of the sites nature conservation value, an initial impact assessment of the development and any recommendations, including opportunities for ecological enhancement and net gains for biodiversity.



3. Method

3.1 Preliminary Ecological Appraisal

General Approach

3.1.1 The PEA was carried out in accordance with the CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and the CIEEM Guidelines for Ecological Impact Assessment (CIEEM, 2018).

3.2 Desk Study

3.2.1 The study area for the desk study at this stage of the development is based upon a provisional 'zone of influence'. 'The 'zone of influence' is defined as per CIEEM guidance 'the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities' (CIEEM, 2018).

3.2.2 The provisional zone of influence for the development where data was sought is set as the following:

- RAMSAR, Special Conservation Areas (SACs) and Special Protection Areas (SPAs), including potentially designated sites and Sites of Specific Scientific Interest (SSSI) – 5 km
- All other statutory designated sites and non-statutory designated sites – 2 km;
- Habitats of Principle Importance (HPI) – 2 km
- Ancient woodland – 2 km;
- Rivers – 2 km;
- Ponds – 0.5 km; and
- Protected Species, Species of Principle Importance (SPI) and other species of conservation concern – 2 km.

3.2.3 Sources of information within the study area for the desk study were as follows;

- The Multi-Agency Geographical Information for the Countryside (MAGIC);
- Government open source GIS datasets;
- NFDC Local Plan 2016-2035 (2020) and Planning Portal;
- Satellite images (powered by google via QGIS 3.1); and



- Purchased records from Hampshire Biodiversity Information Centre.

3.2.4 Requests for information were sent to Hampshire Biodiversity Information Centre with returns received on the 19th November 2023.

3.3 Field Habitat Survey

Survey Area

3.3.1 The study area for the field survey was defined as the entire area of the development and the site (see Figure 1).

UK Habitat Classification Survey

3.3.2 The field survey was undertaken using the UK Habitat Classification system (UK Habs, 2023a) to record the habitat types within the site and development boundary. The UK Habitat Classification has 5 hierarchical levels of habitat classification that aligns with those outlined under national legislation and planning policy. Habitats were mapped in the field using the primary habitat codes described in the UK Habitat Classification Professional Edition to levels 3, 4 or 5 (UK Habs, 2023b).

3.3.3 Secondary habitat codes were assigned along with primary habitat codes to provide additional context where the habitat contained additional features that deviate from the primary classification.

3.3.4 To identify each habitat, the dominant plant and other readily identified species were recorded and their abundance within the site was measured using the DAFOR scale (Stace, 2019);

3.3.5 Target notes were recorded and mapped for any ecological features on site that fell outside of the UK Habitat Classification primary or secondary codes or the would be of value to future surveys and assessment of the site..

3.4 Site Habitat Suitability Assessment

General Approach

3.4.1 The site was appraised for its suitability to support protected species and species of conservation concern at the time of the field habitat survey with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). The species specific guidance and references used in the appraisal are outlined in Table 1 below.



Table 1 – References used to assess the suitability of habitat within the site to support protected species and species of conservation concern.

Group/ taxa	Habitat Appraisal References
Amphibians/	<ul style="list-style-type: none"> GCN Habitat Suitability Index (Oldham et al. 2010); Great Crested Newt Conservation Handbook (Langton et al, 2001).
Bats	<ul style="list-style-type: none"> Bat Conservation Trust Good Practice Guidelines (Collins, 2023).
Birds	<ul style="list-style-type: none"> A Field Guide to Monitoring Nests (Ferguson-Lees et al, 2011); and Barn Owl Tyto alba Survey Methodology and Techniques for use in Ecological Assessment (Shawyer, 2011)
Mammals	<ul style="list-style-type: none"> Surveying Badgers (Harris et al, 1989) ; The Dormouse Conservation Handbook (Bright et al, 2006). UK BAP Mammals Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation (Cresswell, et al, 2012)’ Otter (Woodroffe, 2007), Hedgehog (Morris, 2011) Water shrew (Carter, 2006) - Mammal Society Species Series. Water Vole Field Signs and Habitat assessment (Dean, 2022).
Reptiles	<ul style="list-style-type: none"> Herpetofauna Workers’ Manual (Gent & Gibson, 2003); Reptile Habitat Management Handbook (Edgar, 2010)
Invertebrates	<ul style="list-style-type: none"> Good Planning Practice for Invertebrates (Buglife, 2015) Organising Surveys to Determine Site Quality for Invertebrates (English Nature

Bats – Preliminary Roost Assessment

- 3.4.2 A bat preliminary roost assessment (PRA) of structures and trees as well as an assessment of the sites habitat for bats was carried out in accordance with the Bat Conservation Trust Good Practice Guidelines for Ecologists (Collins, 2016).
- 3.4.3 A ground level inspection of the exterior of any structures and trees within the site was undertaken with the aid of torchlight and binoculars to search for bat PRFs that might provide suitable crevices or access/egress points to voids or cavities for roosting bats.
- 3.4.4 Where accessible and safe to do so, a search for signs of bats such as bat specimens, droppings, urine staining and audible sound (such as social calls) was undertaken at each structure or tree. This included an internal inspection of roof voids at structures and the use of an endoscope to inspect any accessible bat PRFs.
- 3.4.5 A classification based upon the potential roosting suitability for bats was assigned for each structure and tree that was inspected within the site as well as the overall suitability of site habitat. The classification descriptions are detailed in Table 2 and Table 3.



Table 2 – Suitability assessment of a proposed development site for bats, as adapted from BCT Good Practice Guidelines (Collins, 2023).

Potential Suitability	Definition	
	Roosting habitat	Potential flight paths and foraging habitat
None	No habitat features on-site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/ suitable shelter at all ground/ underground levels.	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/ protection for flight lines, or generate shelter for insect populations that is available to foraging bats.
Negligible	No obvious habitat features on site likely to be used by roosting bats, however, small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roosting sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).	Habitat that can be used by a small number of bats as flight-paths such as a gappy hedgerow or unvegetated stream, but isolated i.e not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that can be used by small numbers of foraging bats such as a lone tree (not in parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status, with respect to roost type only; such as maternity of hibernation roosts).	Continuous habitat connected to the wider landscape that could be used by bats for flight paths such as lines of trees, scrub and linked back gardens and for foraging such as trees, scrub grassland and water.
High	As structure with one or more potential roosting sites that are obviously suitable for use by a larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation sites.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined water courses and grazed parkland. The site is close to and connected to known bat roosts.



Table 3 – Guidelines for assessing the suitability of trees for bats, adapted from BCT Good Practice Guidelines (Collins, 2023).

Suitability	Definition
None	Either no PRFs in the tree or highly unlikely to be any.
FAR	Further assessment required to establish if PRFs are present in the tree.
PRF	A tree with a least one PRF present. Any PRFs were classified as: <ul style="list-style-type: none"> • PRF – I: PRF only suitable for individual bats or very small number of bats either due to size or lack of suitable surrounding habitat; • PRF – M: PRF is suitable for multiple bats and may therefore be used by a maternity colony.

3.4.6 The bat PRA included the collection of information on the structure type, age and condition as well as the construction materials. For trees, the species height, condition and approximate age was recorded.

3.5 Survey Dates and Conditions

3.5.1 Details on the date, timing and weather conditions recorded during the survey are provided below in Table 4.

Table 4 – Field Survey Information.

Date	Survey type	Survey timings		Temperature (°C)		Rain	Wind (Beaufort scale)
		Start	Finish	Start	Finish		
10/11/2023	UK Habitat Classification and site habitat appraisal	11:30	15:00	9	10	Overcast with Intermittent rain	2

3.6 Surveyors

3.6.1 The fields surveys were undertaken by Joseph Baker BSc (Hons). Joseph Baker is registered to use the Level 2 Class Licence to survey bats.



4. Results

4.1 Desk Study

Designated Sites

4.1.1 The results of the desk study search for statutory and non-statutory designated sites are detailed below in Table 5 and displayed in Figure 1.

4.1.2 Two statutory designated SAC and SPA sites and their associated SSSI sites were returned within 5 km of the site. The site falls within the associated SSSI IRZ for both statutory designated sites. Twenty-nine non-statutory locally designated sites were returned from the desk study search within 2 km of the site.

Table 5 - Statutory and non-statutory designated sites returned from the desk study search.

Statutory and non-statutory designated sites			
Designation level	Site name	Distance & direction	Summary
International and National			
SPA, SAC SSSI	New Forest	1.3km - East	The designation covers an area approximately 29262.36 ha in size. The qualifying features include European honey-buzzard (<i>Pernis apivorus</i>), Hen harrier (<i>Circus cyaneus</i>), Eurasian hobby (<i>Falco Subbuteo</i>), European nightjar (<i>Caprimulgus europaeus</i>), Woodlark (<i>Lullula arborea</i>), Dartford warbler (<i>Sylvia undata</i>); Wood warbler (<i>Phylloscopus sibilatrix</i>).
SAC and SSSI	Avon Valley (including Avon Valley SSSI – whole system SSSI)	SSSI boundary – 0.05km East SAC boundary 4km - South	(Including Avon Valley Whole Systems & Avon Valley (Bickton to Christchurch SSSI) The qualifying features include; Bewick's swan (<i>columbianus bewickii</i>) and Gadwall (<i>Anas strepera</i>). Nationally important assemblage of breeding and wetland birds.
Local			
SINC	Radnall Wood (ID: NF0064)	2km - West	Approximate area of 26.02ha (Site centroid grid ref: SU13401730). Designated for the sites Hazel dormouse population.
SINC	Sandle Wood (ID: NF0069)	1.7km - West	Approximate area of 5.90ha (Grid ref: SU13601640).



SINC	Fryern Court Wood (ID: NF0071)	1.8km - West	Approximate area of 22.29 (Grid ref: SU13701680).
SINC	Curtis's Copse (ID: NF0072)	1.7km - West	Approximate area of 2.76ha (Grid ref: SU13801760). Site selected for it greater woodrush population (<i>Luzula sylvatica</i>).
SINC	Arch Farm Woodland (ID: NF038)	1.5km – South-west	Approximate area of 3.32ha (Grid ref: SU14201535).
SINC	Arch Farm Meadow (ID: NF0078)	1.4km – South-west.	Approximate area of 3.75ha (Grid ref: SU14201540)
SINC	Kiln Wood (ID: NF0079)	1.7km – North-west.	Approximate area of 6.93ha (Grid ref: SU14201760).
SINC	Meadow West of Whitsbury Road (ID: NF0080)	1.2km – South-west	Approximate area of 0.81ha (Grid ref: SU14401552).
SINC	Bishops Pond (ID: NF0388)	2km – South-west	Approximate area of 0.26ha (Grid ref: SU14411456)
SINC	Peas Ash Copse (ID: NF0082)	0.9km – North-west	Approximate area of 0.81ha (Grid ref: SU14501670)
SINC	Fryern Court Road Wood (ID: NF0084)	1.6km – South-east	Approximate area of 0.86ha (Grid ref: SU14701630)
SINC	Sweatfords Water, Fordingbridge (ID: NF0405)	1.2km - South	Approximate area of 0.10ha (Grid ref: SU15431508). Site selected for brown/sea trout (<i>Salmo trutta</i>)
SINC	Folds Farm Water Meadows (ID: NP0003)	0.3km – South-east	Approximate area of 13.22ha (Grid ref: SU15501600)
SINC	Folds Farm Meadow – 1 (ID: NP0004)	0.5km – South-east	Approximate area of 7.93ha (Grid ref: SU15641588). Site selected due to the presence of stream water crow-foot (<i>Ranunculus penicillatus</i>)
SINC	Folds Farm Meadow – 3 (ID: NP0005)	0.8km – South-east	Approximate area of 3.20ha (Grid ref: SU15601552). Site selected for otter (<i>Lutra lutra</i>).
SINC	Breamore Marsh North (ID: NF0087)	1.9km - North	Approximate area of 0.47ha (Grid ref: SU15711817). Site selected for brown galingale (<i>Cyperus fuscus</i>).
SINC	Burgate Cross Water Meadow (ID: NP0006)	0.46km - East	Approximate area of 9.44ha (Grid ref: SU15801620).



SINC	Breamore Meadows Site 1 (ID: NF0088)	1.6km – North-east	Approximate area of 3.12ha (Grid ref: SU16001780). Site selected for common bistort (<i>Persicaria bistorta</i>).
SINC	Breamore Meadows Site 8 (ID: NF0089)	1.8km - North	Approximate area of 0.91ha (Grid ref: SU16001800).
SINC	Breamore Meadows Site 9 (ID: NF0091)	1.9km - North	Approximate area of 0.96ha (Grid ref: SU16101800).
SINC	Breamore Meadows Site 7 (ID: NF0092)	2km - North	Approximate area of 2.64ha (Grid ref: SU16101820).
SINC	Folds Farm Meadow – 4 (ID: NP0008)	0.8km - East	Approximate area of 7.86ha (Grid ref: SU16161620). Pink water-speedwell (<i>Veronica catenate</i>) and smooth brome (<i>Bromus racemosus</i>)
SINC	Breamore Meadows Site 2 (ID: NP0009)	1.6km – North-east	Approximate area of 4.02ha (Grid ref: SU16201770).
SINC	Folds Farm Meadows (5-8) (ID: NP0010)	1.3km – South-east.	Approximate area of 29.74ha (Grid ref: SU16211531). Stream Water-crowfoot, Pink flowing rush (<i>Butomus umbellatus</i>) and lesser marshwort (<i>Apium inundatum</i>).
SINC	Breamore Railway Line (ID: NP0395)	2km - North	Approximate area of 2.44ha (Grid ref: SU16251835). Site selected for cetti's warbler (<i>Cettia cetti</i>).
SINC	The Mill Fen Meadow (ID: NP0012)	1.4km – North-east.	Approximate area of 0.38ha (Grid ref: SU16301740).
SINC	Brickhops Copse (ID: NP0014)	1.3km – South-east	Approximate area of 2.94ha (Grid ref: SU16401550).
SINC	Sandy Balls Wood (ID: NP0017)	2km – South-east	Approximate area of 31.83ha (Grid ref: SU16601490). Site selected for greater woodrush and wood horsetail (<i>Equisetum sylvaticum</i>)
SINC	Long Ground Copse (ID: NP0025)	2km – South-east.	Approximate area of 11.78ha (Grid ref: SU17201540). Site selected for greater woodrush.

Habitats of Principle Importance

There were 595 parcels of 10 HPI categories returned from the desk study search within 2 km of the site. No HPI were returned from the desk study within the site. Details on the number of HPI land parcels, the habitat type and the distance from the site of the closest HPI parcel are detailed in Table 6.



Table 6 - Habitats of Principle Importance returned from the desk study search within 2 km of the site.

Habitat type	Number of HPI parcels within 2km	Distance & direction of nearest HPI parcel
Coastal Floodplain grazing marsh	330	0.1 km – East
Deciduous woodland	172	0.5 km – West
Good quality semi-improved grassland	34	0.02 km – East
Traditional orchard	4	1.5 km - East
Lowland dry acid grassland	1	1.5 km – East
Lowland fens	23	0.07 km - East
Lowland heathland	13	1.1 km – South-east
Lowland meadows	3	1.1 km – South-east
Purple moor grass and rush pastures	12	0.6 km - East
Lowland mixed deciduous woodland	3	1.5 km - East

4.1.3 Sixty three river parcels were returned within 2 km of the site. The closest river parcel was located 0.05 km from the site and the nearest main river body located 0.2 km away from the site, with both forming part of the River Avon.

4.1.4 Two ponds were identified from satellite imagery within 0.5 km of the site with the closet being 0.2 km north-east of the site

Ancient Woodland

4.1.5 There were 9 parcels of ancient woodland returned from the desk study search within 2 km of the site. No ancient woodland land parcels were located within the site or development boundary. The closest ancient woodland parcel was located 1.5 km from the site.

4.1.6 Details of the ancient woodland land parcels including the land parcel ID, size and distance from the site are given below in Table 7.



Table 7 - Ancient woodland land parcels returned from the desk study search within 2 km of the site.

Ancient woodland inventory ID	Area (ha)	Distance and direction from site	Grid reference
1489072	3.49	1.70 km – South-west	SU 13517 16282
1489073	4.60	1.50 km – North-west	SU 14140 17490
1489074	5.68	1.95 km – North-west	SU 13712 17591
1489075	21.2	1.65 km - West	SU 13700 16930
1488836	2.01	1.56 km - West	SU 13640 16288
1488837	7.28	1.50 km – North west	SU 13845 16802
1489437	18.96	1.75 km – South-east	SU 16829 15295
1489280	3.02	1.80 km – South-east	SU 17031 15563
1489281	7.14	2.00 km – South-east	SU 16742 14895

Protected Species and Other Species of Conservation Concern

- 4.1.7 One hundred and two species that could be relevant to the development were selected from the records returned by the Hampshire Biodiversity Information Centre within 2 km of the site (with species not deemed relevant to the site and development excluded). The species selected included 2 amphibians, 11 bats (3 further identified to genus level), 4 higher plants, 34 bird species, 41 invertebrates, 8 mammals (excluding bats) and 2 reptiles.
- 4.1.8 A full list of the above species including details of the number of records, distance of the nearest records and year of the most recent record is also given in Table 13, Appendix I.

Granted European Protected Species Licences

- 4.1.9 Two EPSLs for bats were returned from the desk study search within 2 km of the site. Neither of the EPSLs granted were located within the site. The closest EPSL granted was 1.5 km from the site for soprano pipistrelle (*Pipistrellus pygmaeus*), common pipistrelle (*Pipistrellus pipistrellus*) and Natterer's (*Myotis nattereri*). Details of the EPSLs within 2 km of the site are detailed in Table 8.



Table 8 - European Protected Species Licences granted within 2 km of the site.

Licence number and year granted	Species	Grid reference	Distance from site	Summary of activities
EPSM2010-2276	Soprano pipistrelle, common pipistrelle and Natterer's	SU15791780	1.5 km	Allowed destruction of a resting and breeding site
2015-14312-EPS-MIT	Common pipistrelle, brown long-eared	SU16961731	1.9 km	Allowed damage and destruction of a resting place

. Other considerations

4.1.10 The site falls within the area covered by the NFDC District Level Licencing (DLL) scheme for GCN as administered by NatureSpace.

4.2 UK Habitat Classification Survey

4.2.1 The habitats recorded during the UK Habitat Classification Survey are displayed in Figure 2a with photographs of habitats displayed in Figure 2b. A description of each habitat recorded within the site and the development boundary is given below in Table 9 and Table 10.

(Section continues on next page)



Table 9 – Habitats recorded within the development boundary during the UK habitat classification survey.

Habitat no.	UK Habitat Classification	Approx. Area sqm	Summary and species list (DAFOR scale for species given in brackets)
G -Grassland			
1	Primary: Other neutral grassland Secondary: Mown; Garden Code: G4 – 106, 827	194.78	There is a small area of other neutral grassland located near the eastern boundary of the site that falls within the development boundary (see Figure 2a). The grassland had a sword height of approximately 200-300 mm at the time of the survey. No bare ground or damage was recorded within the grassland. The grassland was species poor, with 3-4 species typically recorded per square meter. No invasive species were recorded in this habitat at the time of the survey. Species recorded: (D) Yorkshire fog (<i>Holcus lanatus</i>), (F) common bent grass (<i>Agrostis capillaris</i>), (F) False oat grass (<i>Arrhenatherum elatius</i>), (O) Cock's foot (<i>Dactylis glomerata</i>). Forbs included (D) Yarrow (<i>Achillea millefolium</i>), (F) germander speedwell (<i>Veronica chamaedrys</i>), (F) creeping buttercup (<i>Ranunculus repens</i>), (F) dandelion (<i>Taraxacum officinale</i>); (O) doves foot-cranesbill (<i>Geranium mole</i>); (R) ivy (<i>Hedera helix</i>). Individual trees recorded included (R) popular sp. and (R) monkey puzzle trees (<i>Araucaria Araucana</i>).
2	Primary: Other neutral grassland Secondary: Mown; Garden; ruderal; non-native Code: G4 – 81, 106, 827, 523.	158.56	There is a small area of other neutral grassland located near the northern boundary of the site that falls within the development boundary (see Figure 2a). This grassland forms part of the garden associated with the residential property on the site. The grassland had a sword height of approximately 150-200 mm at the time of the survey. No bare or disturbed/damaged ground was recorded within the grassland. The grassland was species poor overall, with 3-4 species typically recorded per square meter. The grassland extends into an area of bare ground with ruderal habitat dominated by common little and a localised stand of common lilac (<i>Syringa vulgaris</i>). Part of the common lilac stand extends outside of the development boundary. Species recorded: (D) Yorkshire fog, (F) common bent grass frequent and (O) cock's foot. Forbs recorded included (A) creeping buttercup, (F) dandelion and (F) yarrow. Other species recorded included (D) common nettle, common lilac and (O) ivy (<i>Hedera helix</i>)
3	Primary: Other neutral grassland Secondary: Mown; Garden Code: G4 – 106, 827	73.71	There is a small area of other neutral grassland that is located in the western section of the site and that falls with the development boundary (see Figure 2a). The grassland had sword height of approximately 150mm on average at the time of the survey and appears to have established through natural succession. The grassland was species poor overall, with <5 species per square meter typically recorded. No invasive species were recorded within this habitat. Species recorded: (D) Yorkshire fog, (F) common bent grass, (O) annual meadow grass (<i>Poa annua</i>). Other plants: (A) common nettle, (F) ribwort plantain, (F) dandelion, cleavers (<i>Galium aparine</i>), (O) white clover, (O) creeping buttercup (O) herb Robert (<i>Geranium robertianum</i>).



4	<p>Primary: Other neutral grassland</p> <p>Secondary: Ruderal; Garden; Mown.</p> <p>Code: G4 – 81, 106.</p>	247.17	<p>There is a small area of other neutral grassland located on the southern boundary of the site that falls within the development boundary (see Figure 2a). The grassland had a short sward height typically <100mm but ranging up to 300mm in areas of remnant grass and common nettle. Bare ground accounted for <5% of ground cover. The grassland is species poor, with 2-3 vascular plants typically recorded and up to 4 recorded per square meter. No invasive species were recorded within this habitat at the time of the survey.</p> <p>Species recorded: (D) Yorkshire fog, (A) common bent grass were dominant; (O) annual meadow grass (O) perennial rye (<i>lolium perenne</i>). Forbs included (A) common daisy (<i>Bellis perrenis</i>), (A) white clover (<i>Trifolium repens</i>), (F) yarrow, (<i>Urtica dioica</i>), (F) common nettle and (R) cow parsley (<i>Anthriscus sylvestris</i>).</p>
H - Heathland and Shrub			
5	<p>Primary: Mixed scrub</p> <p>Secondary: Non-native</p> <p>Code: h3h - 523</p>	94.52	<p>There is an area of mixed scrub located along the eastern boundary of the site (see Figure 2a). The full extent of this habitat extends beyond the site boundary onto highways land. The mix scrub represented a mixture of planted individuals with no one dominant species. There are several non-native species present within the stand.</p> <p>Species recorded: (R) David viburnum – (<i>Viburnum davidii</i>), (R) Asian meadowsweet – (<i>Spiraea trilobata</i>), (R) green-stemmed forsythia – (<i>Forsythia viridissima</i>), (R) pampas grass (<i>Cortaderia selloana</i>), (R) bramble (<i>Rubus fruticosus</i>), and (R) elder (<i>Sambucus nigra</i>) were recorded.</p>
6	<p>Primary: Mixed scrub</p> <p>Secondary: Non-native</p> <p>Code: h3h - 523</p>	131.41	<p>There is an area of mixed scrub located along the northern boundary of the site that falls within the development boundary (see Figure 2a). There are several non-native species present within the stand of mixed scrub.</p> <p>Species recorded: (D) Snowberry (<i>Symphoricarpos albus</i>), bramble (A), (F) mexican orange (<i>Choisya ternate</i>), (R) willow (<i>Salix sp.</i>), (R) Japanese mahonia (<i>Mahonia japonica</i>), (R) cherry laurel (<i>Prunus laurocerasus</i>). Other species included: (F) common nettle, (F) cleavers. (O) ivy. Trees included (O) conifer sp..</p>
7	<p>Primary: Bramble scrub</p> <p>Secondary: n/a</p> <p>Code: h3d</p>	72.76	<p>There is an area of bramble scrub located along the western boundary in the south-west corner of the site that falls within the development boundary (see Figure 2a).</p> <p>Species recorded: (D) Bramble and (R) elder.</p>
8	<p>Primary: Bramble scrub</p> <p>Secondary: n/a</p> <p>Code: h3d</p>	104.91	<p>There is an area of bramble scrub located in the eastern section of the site adjacent to building B1 and that falls within the development boundary (see Figure 2a).</p> <p>Species recorded: (D) Bramble.</p>



9	<p>Primary: Non-native ornamental hedgerow</p> <p>Secondary: n/a</p> <p>Code: h2b</p>	27.20	<p>There is a line of planted overgrown shrubs located in the southern section of the site and that falls within the development boundary (see Figure 2a). The habitat is approximately 15 m in length and is <2 m in width at the base. The canopy of the shrubs start >2 m from the ground.</p> <p>Species recorded: Leyland cypress – dominant.</p>
U - Urban			
10	<p>Primary: Developed land – sealed surface</p> <p>Secondary: n/a</p> <p>Code: u1b</p>	527.00	<p>There are several interconnected areas of hardstanding comprised of a driveway, carpark and garden paths located across the centre of the site as well an area of hardstanding on the eastern boundary of the site. There was vegetation associated with the large carpark area, where a small number of species were growing through gaps/ cracks in the paving. The coverage of vegetation cover was insignificant to the overall area of the hardstanding.</p> <p>Species recorded: (O) Buddleia. (<i>Buddleia Davidii</i>), (O) Common bent grass, (O) cock's foot, (O) annual meadow grass, ribwort plantain (O).</p>
11-18	<p>Primary: Urban -Building</p> <p>Secondary: n/a</p> <p>Code: U1b5</p>	521.00	<p>There are eight structures located within the site and all are located within the development boundary (see Figure 2a). Building B1 is a residential property. Buildings B2 and B3 are annexes associated with building B1. Buildings B4, B5, B6, and B7 are large garages. Building B8 is a garden shed (construction description given in Tables 14-15 Appendix II).</p> <p>Species recorded: (D) Ivy.</p>
R – Rivers and Lakes			
19	<p>Primary: Standing open water</p> <p>Secondary: Ornamental pond</p> <p>Code: r1 - 46</p>	5.00	<p>A small artificial pond was recorded in the north-east corner of the site. The pond was constructed from a prefabricated fibreglass mould and was approximately 2m x 2m in size. There was no vegetation associated with the pond and the pond was completely shaded.</p>



Table 10 - Habitats recorded within the site that are located outside of the development boundary during the UK Habs survey.

Habitat no.	UK Habitat Classification	Approx. Area sqm	Summary and species list (DAFOR scale for species given in brackets)
H - Heathland and Shrub			
20	Primary: Bramble scrub Secondary: n/a Code: h3d	723.72	There is a significant area of mixed scrub located in the western section of the site that falls outside of the development boundary (see Figure 2a). Part of the habitat falls within what is suspected to be a historic cesspit with a retaining walls. There are small opening within the scrub habitat with grassland species, however the overall extent is not significant enough to be classified as a mosaic habitat. Species recorded: (D) Bramble, (A) common nettle (<i>Urtica dioica</i>), (O) hedge bindweed (<i>Calystegia sepium</i>), (O) cocksfoot, (O) Yorkshire fog, (R) crab apple (<i>Malus sylvestris</i>). (R) ash, (R) cypress sp. (R) salix sp.
21	Primary: Non-native ornamental hedgerow Secondary: n/a Code: h2b	36.34	There is a line of planted overgrown shrubs, located on the northern boundary in the northwest corner of the site and outside of the development boundary (see Figure 2a). The habitat is approximately 1.5m in width at the base and is a uniform height of approximately 6-7 m. The canopy of the shrubs starts <2m form the ground. Species recorded: (D) Leyland cypress, (O) <i>prunus sp.</i>
U - Urban			
22	Primary: Built up areas and gardens Secondary: Allotment Code: U1 - 616	39.10	There is an area of abandoned allotment located in the western section of the site that falls outside of the development boundary. The area is now dominated weed species (see Figure 2a). Species recorded: (D) Hedge bindweed, (A) common nettle.

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4.2.2 The following observations were recorded as target notes during the field surveys undertaken within the site and are detailed below in Table 11. All target notes are displayed in Figure 2a.

Table 11 – Target notes recorded during field surveys within the site.

Target Note ID	Target note type	Description
TN1	Habitat	There is an area of waste, including several fuel drums that have been piled up and discarded on an area of developed land, sealed surface within the site.
TN2	Habitat	There is an area of stacked building materials including bricks and slabs located adjacent to building B4 on an area of other neutral grassland.
TN3	Habitat	There is a swallow nest cup located under the eaves on the western aspect of building B1 located on the southern section of the building.
TN4	Health & Safety	Building B7 appears to be structurally compromised. The building appears to have potential ACMs so should not be approached.
TN5	Health & Safety	Building B2 appears to be structurally compromised and is unsafe to approach.

4.3 Site Habitat Suitability Assessment

4.3.1 Based on the results of the UK Habs survey and the desk study results, a suitability assessment of the habitat recorded within the site to support protected species and species of conservation concern was made. The results of this evaluation are provided in Table 12.

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Table 12 – Site habitat assessment for protected species and species of conservation concern.

Species/group	Site Assessment and Rationale
GCN and Other Amphibians	<ul style="list-style-type: none"> • There is a small artificial pond within the site. The pond was assessed as providing poor/ below average habitat suitability for GCN (GCN HSI score of 0.5), primarily based upon the lack of aquatic vegetation, poor water quality and shading of the pond. The pond is also unlikely to provide suitable breeding habitat for other native newt species and common toad for the aforementioned reasons. • The habitat within the site including mixed scrub, bramble scrub and other neutral grassland as well as rubble piles (see Figure 2a) that offer some opportunities for foraging and shelter to GCN and other common amphibians. • Records of GCN were returned within 1.9 km of the site. Two ponds were also returned from the desk study search within 0.5 km of the site (see Figure 1), however both ponds were separated to site by significant land barriers including roads. Both ponds are large in size and at least one appears to be a fishing pond. • In our professional judgement the above points taken together, suggest that GCN are reasonably unlikely to be found within the site despite there being suitable resting places. It is also reasonably unlikely that the habitat within the development boundary makes up a significant part of the terrestrial habitat of any nearby GCN meta-populations.
Bats	<ul style="list-style-type: none"> • The habitat within the site was classified as having moderate suitability for bats in line with BCT guidelines (Collins, 2023) and includes other neutral grassland, mixed scrub, bramble scrub, scattered trees (see Figure 2a) that is of value to foraging bats. Much of this habitat falls within the development boundary. The site connects well to the wider rural landscape, and is situated adjacent to a designated site that has numerous HPI and wetland habitats of value to bats, although the site and the designated site are separated by a road. • Records for several bat species were returned in close proximity to the site including barbastelle and greater horseshoe bat. • Building B1 was assessed as having moderate suitability to support roosting bats and falls within the development boundary. • Based on the above points taken together there is the potential for roosting bats to be found within the development boundary and for bats to use the site for foraging and commuting. The habitat within the development boundary is reasonably unlikely to provide significant habitat for barbastelle and greater horseshoe bats, taking into consideration the specific requirement of these species and the availability of high quality habitat located nearby to the site.
Birds	<ul style="list-style-type: none"> • The bramble scrub, mixed scrub, scattered trees, non-native ornamental hedgerows and buildings within the site all provide suitable nesting habitat for common and generalist birds species. The aforementioned habitats along with the other neutral grassland within the site also provide foraging opportunities of birds. Much of the habitat described falls within the development boundary. • There is good quantity of habitat within the site, however the type and quality of available habitat suggests that it is reasonably unlikely more specialist bird species and significant populations of SPI would be found within the site. This is also based upon the size of the site and it's rural setting adjacent to higher quality HPI, wetland systems and designated sites where the qualifying features include birds.



Other mammal (non-bats)	<ul style="list-style-type: none"> • The site contains dense areas of mixed scrub and bramble scrub that could not be fully assessed at the time of the survey (due to the structure of the habitat restricting access), that would provide adequate cover to conceal any badger setts and mammal burrows, and provide suitable nesting/ resting places for hedgehog. The small areas of other neutral grassland within the site also provide valuable foraging habitat for hedgehog, and to a lesser extent badger. • Records for badger, hedgehog, polecat and brown hare were returned from the desk study nearby to the site and the sites rural location suggests that fox and rabbit are also likely to be present nearby to the site. Despite this, no badger setts, mammal burrows or signs of badger were recorded at the time of the survey within the site. Brown hare, is reasonably unlikely to be found within the development boundary, lending to the level of human activity and available habitat nearby to the site. • The above points taken together suggest that it is reasonably likely that hedgehog could be encountered within the site. Furthermore, that there is the potential for badger, fox, rabbit, and polecat to use the site transitionally and their burrows could be encountered in the future. • The dense areas of bramble scrub within the site is a habitat that can broadly be associated with hazel dormouse. In our professional judgement the isolation of this site suggests hazel dormouse is absent from the site. • Records of water vole, water shrew and otter were also returned from the desk study, although no habitat was recorded within the site that are typically associated with these species, including the small artificial pond that is considered unsuitable for these species. These records are likely to reflect the river and wetlands and HPI associated with the nearby River Avon, and as such these species are considered absent from the site.
Reptiles	<ul style="list-style-type: none"> • Records for slow worm and grass snake were returned nearby to the site. The other neutral grassland habitat with a combination of bramble and mixed scrub and several rubble piles within the site provide a rough habitat structure that has the potential to be used by the aforementioned reptile species. • In our professional judgement the available habitat within the development boundary is reasonably unlikely to support a significant population of reptiles. It is possible however that individual reptiles could be encountered within the development boundary.
Invertebrates	<ul style="list-style-type: none"> • The extent of bramble within the site is high for a small site and is likely to provide habitat of value for invertebrates. The dense ivy cover found on buildings B6, B7 and B8 are also likely to be of value to invertebrates. Other habitats such as the other neutral grasslands, mixed scrub and scattered trees provide limited value for invertebrates within the site, reflecting the poorer condition of the grasslands and extent of non-native species that make up the composition of mixed scrub, scattered trees and non-native ornamental hedgerows within the site. • Numerous records of invertebrates including SPI were returned from the desk study search nearby to the site. While it is possible that some of the invertebrates returned from the desk study could be encountered within the site, in our professional judgement it is reasonably unlikely significant populations or important assemblages will be present within the site. Furthermore, many of the records are likely to be associated with nearby HPI, wetland systems and designated sites, with the sites habitats likely to support more common and generalist species.



Plants, fungi, lichens	<ul style="list-style-type: none">• The habitats recorded within the site were all species poor and/ or in poor overall condition. No protected plants or SPI were recorded during the site at the time of the survey, and based upon the habitats present, it is reasonably unlikely such species or any fungi or lichens species of conservation concern will be present within the site. This is primarily based upon the current management regimes of the site habitats.
Non-native and Invasive Species	<ul style="list-style-type: none">• Several non-native plant species were recorded within the site as part of the other neutral grassland, mixed scrub habitats, non-native ornamental hedgerows, scattered trees and developed land, sealed surface habitats within the site and development boundary. Species of note included large stands of snowberry and common lilac.• No invasive non-native species listed under schedule 9 of the wildlife & countryside act, 1981 were recorded within the site.• It is possible that grey squirrel nests (dreys) could encountered within scattered trees found within the site and the development boundary.

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Bat Preliminary Roost Assessment

- 4.3.2 Eight structures and 19 trees were assessed during the bat PRA within the site for their suitability to support roosting bats.
- 4.3.3 One structure, building B1 was classified as having moderate suitability to support roosting bats due to the presence of bat PRFs. All other structures within the site were classified as having negligible suitability and all trees as having no suitability to support roosting bats.
- 4.3.4 The results of the bat PRA are displayed in Figures 3a with photographs displayed in Figures 3b and 3c. Full details of the bat PRA for structures are provided in Tables 14 and 15 in Appendix II.



5. Legislation and Planning Policy Evaluation

5.1 Background

5.1.1 The purpose of this section is to evaluate the legislation and planning policy that is either known to be, or that could be a material consideration to the development based upon the desk study survey and the field survey results. A summary of the relevant legislation and planning policy in context of the development is provided below. Further details of the UK legislation and planning policy relevant to the qualifying features in this section are detailed in Appendix III.

5.2 Designated Sites

5.2.1 The site is not located within any statutory or non-statutory designated sites but falls within the SSSI IRZ and the Nutrient Impact Zone for the Avon Valley RAMSAR, SAC, SPA and the SSSI IRZ for the New Forest RAMSAR, SAC and SPA. The Conservation of Habitats and Species regulation, 2017 and the Wildlife and Countryside Act, 1981 are relevant to the above sites and they are also a material consideration under the NPPF, 2021 and Policy ENV1 of the NFDC Adopted Local Plan (2020).

5.2.2 The development is retained within the existing site boundary and will therefore, not result in direct loss of area to the above designated sites. The scale of the development, a net increase in six residential units, is reasonably unlikely to result in a significant increase in recreation pressure on the above sites, alone, although an accumulative assessment is not included within the brief of this report. Furthermore, due to the scale of the development, the impacts of construction based pollution to the nearby River Avon designation are considered to be negligible with appropriate site control measures.

5.2.3 It is not possible to determine that the effects of diffuse water pollution will not have an adverse effect on the River Avon designations and the qualifying features in-line with Natural England's standing advice without further assessment, therefore the development may be required to demonstrate nutrient neutrality or appropriate mitigation/ offsetting to ensure it is able to proceed lawfully with respect to the River Avon designation. Pre-determined financial mitigation is also set out by NFDC for the New Forest designations.

5.2.4 Recommendations are outlined in section 6.2 and 6.5 to ensure the development proceeds lawfully.



5.3 Habitats of Principle Importance

- 5.3.1 HPI are a material planning consideration for local authorities through the provisions set out under the Natural Environment and Rural Communities (NERC) Act, 2006 and the NPPF (2021) for the conservation, restoration and enhancement of biodiversity.
- 5.3.2 The development will not result in any loss of HPI within the site or to nearby parcels returned from the desk study search. As the development is small scale, the indirect impacts that may arise from construction based pollution (such as dust, surface water run-off, and water contamination) to nearby HPI (which are primarily wetland based systems) are anticipated to be negligible with the implementation of site based control measures.
- 5.3.3 The recommendations outlined in section 6.5 will ensure that the development is compliant with the legislation and planning policy relevant to HPI.

5.4 Ancient Woodland and Veteran Trees

- 5.4.1 Ancient woodland is a material planning consideration under the NPPF (2021). No ancient woodland was recorded within the site and the nearest parcel was 1 km from the site. The development will not result in any loss of ancient woodland. The scale of the development and distance to the nearest ancient woodland land parcel will ensure that there are no adverse indirect impacts (such as recreation pressure or diffuse pollution) on ancient woodland. Therefore, the development will be compliant with the relevant policy for ancient woodland.

5.5 Biodiversity Net Gain and Ecological Enhancements

- 5.5.1 The requirement for developments to achieve ‘measurable gains for biodiversity’ are outlined under the NPPF (NPPF, 2021). NFDC have also outlined interim local policy guidance on the requirement for developments to deliver Biodiversity Net Gain (NFDC, 2022; see Appendix III) in anticipation (January 2024) of the forthcoming legal requirements set out under the Environmental Act, 2021 that places a duty on all qualifying developments to secure a 10% net gain for biodiversity.
- 5.5.2 To ensure the development achieves a measurable net gain for biodiversity and is compliant with national and local planning policy, the recommendations outlined in section 6.3 should be followed.

5.6 Amphibians

Great Crested Newts

- 5.6.1 GCN are protected under the Conservation of Habitat and Species regulations, 2017 and the Wildlife and Countryside Act, 1981. GCN are also a SPI listed under section



41 of the Natural Environment and Rural Communities Act, 2006 and as such are a material planning consideration. The site also falls within the NFDC GCN District Licensing scheme as administered by NatureSpace.

- 5.6.2 In our professional judgement the development is reasonably unlikely to result in impacts to GCN despite the presence of suitable terrestrial habitat within the site. This is based upon the pond within the site being unsuitable for GCN and ponds within 500m of the site either being unsuitable or separated by significant land barriers. The Natural England GCN Risk Assessment Tool calculated based upon the above that the risk of an offence being committed as part of the development is 'highly unlikely'. Therefore, the development will be compliant with the legislation and planning policy relevant to GCN. No further recommendations are outlined in this report with respect to GCN.

Common Toad

- 5.6.3 Common toad are listed as an SPI under section 41 of the NERC Act, 2006 and as such are a material planning consideration. Based upon the desk study results and the habitats recorded within the site, it is possible that individual common toad could be encountered within their terrestrial habitat (only) during the development. In our professional judgement, it is reasonably unlikely that a significant population of common toad will be impacted within the site due to the available habitat in context of the sites surroundings. Therefore, the development will be compliant with the relevant legislation and planning policy for common toad. No further recommendations are outlined in this report with respect to common toad.

5.7 Bats

- 5.7.1 All bats and their roosts are afforded protection under the Conservation of Habitat and Species Regulations, 2017 and the Wildlife and Countryside Act, 1981 (as amended), while seven species of bat are also listed as SPI under section 41 of the NERC Act, 2006. As such, bats are a material planning consideration to the development. The aforementioned legislation and planning policy is detailed further in Appendix III.
- 5.7.2 Building B1 was classified as having moderate suitability to support roosting bats at the time of the bat PRA. The development proposals for building B1 will include interior renovation works only. As such, the bat PRFs recorded during the bat PRA will not be impacted as a result of the development. Therefore, the development will be compliant with the relevant legislation for bats, as it will not result in harm to individual bats or impact their roost. If the scope of the development changes to include works that will impact the bat PRFs located on building B1, the recommendations outlined in section 6.4 and 6.5 of this report should be followed.



5.7.3 Buildings B2, B3, B4, B5, B6, B7 and B8 were all classified as having negligible suitability and all trees as having no ('none') suitability to support roosting bats during the bat PRA. The development will therefore be compliant with the legislation and planning policy relevant to roosting bats for these buildings and trees as it is reasonably unlikely that individual bats or bat roosts will be impacted. Mitigation is outlined in section 6.5 of this report for these buildings in the unlikely event a bat is discovered during the development.

5.7.4 The development will result in the removal of much of the existing habitat within the development boundary. However, in our professional judgment this habitat is reasonably unlikely to contribute significantly to upholding the favourable conservation status of bat population including records returned nearby to the site for barbastelle and greater horseshoe bats, with significantly higher value habitat available nearby to the site. Justification for the exclusion of further bat activity surveys to inform the impacts of the development are discussed in section 6.4 of this report.

5.8 Birds

5.8.1 Birds are afforded protection, including while they are nesting under the Wildlife & Countryside Act, 1981 and many species returned from the desk study search are also listed as SPI under the NERC Act, 2006 (as outlined in Appendix III). As such, birds are a material planning consideration.

5.8.2 The development includes the removal of habitats within the site that are suitable for use by nesting birds, and as such nesting birds could be impacted without appropriate mitigation. Based on the available habitat within the site, in our professional judgment it is reasonably unlikely that significant populations of SPI will be impacted as part of the development.

5.8.3 To ensure the development is compliant with the legislation and planning policy outlining the protection of birds, the recommendations in section 6.5 should be followed.

5.9 Invertebrates

5.9.1 Numerous records of invertebrates were returned within 2 km of the site including several species listed as SPI under the NERC Act, 2006 (see Table 12 Appendix I) and as such these species are a material planning consideration (see Appendix III).

5.9.2 In our professional judgement the habitat recorded within the development boundary is reasonably unlikely to support important assemblages or significant populations of SPI, reflecting the poor condition and extent of non-native species within these habitats. The development will therefore be compliant with the



legislation and planning policy outlining the protection of invertebrates. No further recommendations are made with respect to invertebrates in this report.

5.10 Other Mammals

- 5.10.1 Based on the desk study results, the sites rural location and the habitat recorded within the site, badger and their setts, hedgehog, rabbit, fox and polecat are all considered to be precautionary considerations for the development.
- 5.10.2 Badgers and their setts are afforded protection under the Protection of Badgers Act, 1992. Wild mammals are also afforded a degree of protection by provisions set out under the Wild Mammals (Protection) Act, 1996 which prohibits certain cruel acts that could cause undue suffering and harm and that could be relevant to the construction phase of the development (through the crushing and asphyxiation of wild mammals in their burrows). Hedgehog and polecat are also listed as SPI under S41 of the NERC, Act, 2006.
- 5.10.3 In our professional judgement, it is reasonably unlikely that a significant population of hedgehog or polecat will be impacted at the site, due to the small size of the site and extent of available habitat. As such, the development will be compliant the provisions set out under the NERC Act, 2006 for the above species.
- 5.10.4 To ensure the development proceeds lawfully the precautionary mitigation outlined in section 6.5 should be followed.

5.11 Non-Native Invasive Species.

- 5.11.1 Section 14 of Wildlife & Countryside Act, 1981 prohibits certain actions on the release of non-native invasive species listed under Schedule 9 into the wild. As such, invasive non-native species are a material planning consideration.
- 5.11.2 Several ornamental non-native plant species were recorded within the site, however none are listed under the above legislation. As such, the removal of these plants will be compliant with the above legislation.
- 5.11.3 It is possible that grey squirrel 'dreys' used for nesting could be encountered within the site habitat and impacted as part of the development. The development is reasonably unlikely to result in the release of this species that meets the definition of an offence under the above legislation. Grey squirrel are however still subject to the provisions set out under the Wild Mammals (Protection) Act, 1996. The recommendations outlined in section 6.5 should be followed to ensure the development proceeds lawfully in the event a grey squirrel drey is found within the site.



5.12 Reptiles

- 5.12.1 All native reptiles are afforded protection under the Wildlife & Countryside Act, 1981 and are listed as SPI under the NERC Act, 2006. Sand lizard and smooth snake and their habitat are also afforded protection under the Conservation of Habitat and Species Regulation, 2017. As such, reptiles are a material planning consideration.
- 5.12.2 Based upon the desk study results and site habitat it is possible that individual slow worm could be encountered within the site and impacted as part of the development. In our professional judgement it is reasonably unlikely that a significant population of slow worms will be found within the development boundary. To ensure the development proceeds lawfully the recommendations outlined in section 6.5 should be followed.



6. Requirements and Recommendations

6.1 Background

6.1.1 The recommendations included in this section are based upon the mitigation hierarchy (avoidance, mitigation and compensation; BSI, 2013). Mitigation is not discussed where further surveys are required to inform such mitigation or compensation, unless in our professional judgement it would not be proportionate to request further surveys as the risk of a legal offence being committed as a result of the development is acceptably low.

6.2 Designated Sites

6.2.1 To ensure the development is compliant with the legislation and planning policy relevant to the Avon Valley System RAMSAR, SAC and SPA, NFDC should be consulted on any potential impacts resulting from diffuse nutrient pollution as part of the development, as it includes new build properties. As such a nutrient neutrality statement and calculation may be required for the development to demonstrate that there will no adverse impacts on the above designated site or that the predetermined mitigation requirements for these designated sites can be met.

6.2.2 NFDC should also be consulted on the requirements of predetermined mitigation requirements for new residential properties with regards to the New Forest RAMSAR, SAC and SPA designation.

6.3 Biodiversity Net Gain and Ecological Enhancements

Biodiversity Net Gain

6.3.1 A BNG assessment for the development should be undertaken for the development at the site to ensure the development is compliant with national planning policy and NFDCs interim guidance on achieving measurable net gains for biodiversity (in anticipation of mandatory requirements under the Environmental Act, 2021).

6.3.2 The BNG assessment should follow industry good practice guidelines and the principles of BNG (Baker et al, 2019 and CIEEM, 2021) and be calculated based upon the final landscaping plans using the latest edition of the Statutory Biodiversity Metric Tool or Small Sites Biodiversity Metric Tool.

6.3.3 The BNG assessment should be included within a BNG Plan (report). The plan should include the strategy for achieving biodiversity net gain over a defined 30 year period and should be supported by appropriate digitized mapping.



Ecological Enhancement

6.3.4 The following ecological enhancements relevant to the development are recommended at this stage:

- Incorporate four solitary bee bricks or boxes within the site;
- Incorporate a 13 cm x 13 cm gap into any permanent boundary fencing to allow the movement of small animals including hedgehogs;
- Incorporate the planting of native species as part of the development and undertake the removal of non-native plants (including the replacement of non-native plants with native species) within the site;
- Incorporate a sensitive light regime into the design of the development to retain dark areas within the site and reduce light pollution and overspill (see ILP and BCT (2018) Guidance Note 08/18 Bats and Artificial Lighting in The UK).

6.3.5 The specifications for the above ecological enhancements and the location for installation can be included within a combined BNG and ecological enhancement plan for the site.

6.4 Further surveys

Bats

6.4.1 No further bat surveys are required at this time for building B1. However, if the design of the development changes to include exterior works that could result in impacts to the bat PRFs recorded during the bat PRA on building B1, two bat emergence surveys to determine the presence/ probable absence of bats should be undertaken in line with BCT Good Practice Guidelines (Collins, 2023). The two bat emergence surveys should be undertaken between May-September with at least one survey completed between May – August. Each survey visit must be separated by a minimum of 21 days and undertaken in suitable weather conditions.

6.4.2 In our professional judgement it would not be proportionate to undertake further bat activity surveys to determine the impacts of the development on bat habitat for the following reasons:

- The site is small in size, it not located within sufficient distance of any designated sites for bats and the records returned for bats from the desk study search provide a good indication of the bat species present locally to the site;
- The habitats found within the site and the extent of the habitats within a small site will not be significant to upholding the favourable conservation status of



Annex II bat species. Furthermore, records returned from the desk study highlight that there are numerous higher quality habitats available nearby to the site for foraging and commuting bats; and

- The landscaping plans for the development include the retention of valuable habitat within the site as well including new opportunities to enhance the site for bats.

6.5 Mitigation

Pollution Prevention Control

6.5.1 The following pollution prevention measure should be incorporated during the construction phase of the development to ensure that there is no offsite pollution to the nearby Avon Valley designated site and HPI:

- Safe storage of fuels, oil and chemicals within the site with appropriate spill kits (for the scale of activities) available on-site at all times;
- Safe disposal of any contaminated water or soil and general waste within the site or with appropriate offsite and management;
- Appropriate monitoring and prevention of water and silt run-off from construction areas; and
- Where possible minimise the use of fertiliser and herbicides as part of on-going site management.

Badger, Fox, Rabbit and Polecat

6.5.2 In the unlikely event that a burrow entrance of a mammal is discovered on-site that could be of a suitable size for badgers, the following actions should be taken:

- Works paused and an ecologist consulted regarding any likely burrow or badger sett;
- A suitable buffer of at least 20 m established and clearly marked around the suspected badger sett;
- Due to the small size of the site, if it is not possible to apply a 20 m buffer around a suspected sett, the professional judgment of the ecologist should be used to determine a suitable buffer; and
- Any badger sett or mammal burrow that could be in use by badgers that is reasonably likely to be impacted by the development should be monitored for



an appropriate period by an ecologist and the appropriate licencing requirements obtained.

- 6.5.3 To ensure the development proceeds lawfully, any rabbit or fox burrows found within the site, or those used by polecat, should not be tracked over by machinery and those that will be impacted as part of the development should be dug out with hand tools to prevent unlawful methods of killing (such as those outlined under the Wild Mammals (Protection) Act, 1996.

Bats

- 6.5.4 Should the presence of bats be confirmed during any further surveys of building B1 a bat mitigation licence application to Natural England will be required, and a licence obtained prior to the commencement of the development in order for it to proceed lawfully.
- 6.5.5 It is not foreseen that bats or their roosts will be impacted as a result of the development on buildings B2, B3, B4, B5, B6, B7 and B8, however, in the unlikely event that a bat is encountered in these buildings during the construction phase of the development, works should stop and an ecologist consulted. In such an event, a bat mitigation licence would be required from Natural England before the development is able to proceed again lawfully.

Birds

- 6.5.6 In order to ensure that the development is compliant with the legislation and planning policy relating to breeding birds, if works begin in the breeding bird season (April – September) then a pre-works inspection to search for breeding birds should be undertaken. The inspection should cover all suitable habitat for breeding birds within the site that could conceal a birds nest.
- 6.5.7 If an active bird nest or nesting activity is recorded within suitable habitat onsite during the pre-works inspection or at any other time or place during the development (such as the storage of building materials) the nest should be protected from damage and destruction (including disturbance that may cause the nest to be abandoned). A minimum buffer size of 5 m should be implemented around any active nests and works in and around these areas should be controlled or delayed until the chicks have fledged.

Hedgehog

- 6.5.8 Where reasonably practical, measures will be taken to avoid the unnecessary killing or injuring (that could result in undue suffering and harm) of hedgehog as a result of the developments construction-based activities. Stakeholders and contractors



should remain vigilant for the presence of hedgehogs around any vegetation, debris or stored materials. A reasonable action would be to move an individual to a safe location either within retained habitat or off-site. During construction, any excavations on site should be covered nightly or include a suitable escape ramp to prevent nocturnal mammals (including hedgehog) from becoming trapped.

Grey Squirrel

- 6.5.9 In the event an active squirrel drey (nest) is encountered within the site, ideally the drey should be left in-situ until all young have dispersed before removal. If it is not possible to avoid removing an active squirrel drey, it should be removed in a way that does not result in unlawful killing. Any grey squirrel intentionally captured, should either be humanly euthanized by a trained professional or taken into a professional animal care centre (subject to prior agreement), where upon arrival they cannot be released back into the wild again. This recommendation does not apply to individuals found to have been accidentally/ unintentionally trapped, which can be legally released from capture.

Reptiles

- 6.5.10 In order to ensure the development is compliant with the legislation and planning policy relevant to reptiles, vegetation clearance of the development site should be undertaken under a Precautionary method of works. This should include the following general principles:
- Controlled removal of vegetation with a two stage cut. This will be comprised of a first stage cut to 200 mm and a second stage cut to <100 mm;
 - Vegetation removal to be undertaken under supervision of an Ecological Clerk of Works; and
 - Translocation of any individual reptiles to a predetermined receptor site within the site or off-site location.
- 6.5.11 In our professional judgement the above approach will be proportionate without the need for further surveys to ensure legal compliance with relevant legislation for reptiles.



7. Conclusion

- 7.1.1 To ensure the development at the site is able to proceed lawfully, further consultation and assessment to ascertain the ecological impacts of the development will be required.
- 7.1.2 It is not possible to determine that the development will not adversely impact the Avon Valley (Full System) designation without further consultation with NFDC and assessment on the impacts of diffuse nutrient pollution (demonstration of nutrient neutrality calculation and mitigation). Predetermined mitigation requirements for the New Forest designation will also require further consultation with NFDC. This report also outlines the need to incorporate measurable net gains for biodiversity into the design of the development to meet the requirement under national and local policy guidance.
- 7.1.3 The recommendation and associated mitigation (where applicable) outlined in this report with respect to pollution prevention (to nearby designated sites and HPI), nesting birds, reptiles, hedgehog, badger, fox, rabbit, polecat and furthermore bats if followed, will ensure the development proceeds lawfully.



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Appendix I – Desk Study Protected Species and Species of Conservation Concern Records

Table 13 – .Records returned from the desk study search within 2 km of the site (HBIC, 2023).

Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
Amphibians											
Common toad	<i>Bufo bufo</i>	2	2016	1.8 km	SU155181		✓ (5 – sale only)	✓			
Great crested newt	<i>Triturus cristatus</i>	1	2016	1.9 km	SU15491819	✓	✓ (5)	✓			Habitats Directive - Annex II
Bats											
Barbastelle	<i>Barbastella barbastellus</i>	19	2022	0.4 km	SU152158	✓	✓ (5)	✓			
Serotine	<i>Eptesicus serotinus</i>	18	2022	0.8 km	SU152158	✓	✓ (5)	✓			
Myotis sp	<i>Myotis sp.</i>	10	2022	0.4 km	SU152158	✓	✓ (5)	✓			
Whiskered/brandt's	<i>Myotis mystacinus/ Myotis brandtii</i>	1	2022	1.7 km	SU170157	✓	✓ (5)	✓			
Natterer's	<i>Myotis nattereri</i>	2	2021	1.0 km	SU142162	✓	✓ (5)	✓			
Pipistrelle bat	<i>Pipistrellus sp.</i>	15	2022	1.1 km	SU151151	✓	✓ (5)	✓			
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	35	2022	0.4 km	SU152158	✓	✓ (5)	✓			
Nathusius pipistrelle	<i>Pipistrellus nathusii</i>	1	2019	0.5 km	SU148159	✓	✓ (5)	✓			
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	29	2022	0.4 km	SU152158	✓	✓ (5)	✓			
Long eared sp.	<i>Plecotus sp.</i>	14	2022	0.4 km	SU152158	✓	✓ (5)	✓			
Brown long eared	<i>Plecotus auritus</i>	14	2021	1.0 km	SU142162	✓	✓ (5)	✓			
Leisler's	<i>Nyctalus leisleri</i>	2	2022	0.4 km	SU152158	✓	✓ (5)	✓			



Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
Common noctule	<i>Nyctalus noctula</i>	11	2021	0.5 km	SU148159	✓	✓ (5)	✓			
Greater horseshoe	<i>Rhinolophus ferrumequinum</i>	2	2021	0.5 km	SU148159	✓	✓ (5)	✓			Habitats Directive - Annex II
Birds											
Lesser Redpoll	<i>Acanthis cabaret</i>	1	2021	1.8 km	SU1717		✓	✓	Red		
Goshawk	<i>Accipiter gentilis</i>	2	2020	<1km	SU11		✓ (1)				
Skylark	<i>Alauda arvensis</i>	1	2014	0.3 km	SU1515		✓	✓	Red		
Grey Heron	<i>Ardea cinerea</i>	25	2020	0.2 km	SU156162		✓				
Short-eared Owl	<i>Asio flammeus</i>	1	2021	1.3 km	SU1414		✓				Bird directive Annex I
Hawfinch	<i>Coccothraustes coccothraustes</i>	5	2017	0.7 km	SU1517		✓	✓	Red		
Quail	<i>Coturnix coturnix</i>	1	2005	0.7 km	SU1615		✓				
Cuckoo	<i>Cuculus canorus</i>	11	2020	0.2 km	SU156162		✓	✓	Red		
Little Egret	<i>Egretta garzetta</i>	29	2020	0.2 km	SU156162		✓				Bird directive Annex I
Yellowhammer	<i>Emberiza citrinella</i>	1	2011	1.7 km	SU1418		✓	✓	Red		
Brambling	<i>Fringilla montifringilla</i>	4	2021	1.1 km	SU156162		✓ (1)				
Linnet	<i>Linaria cannabina</i>	9	2021	0.3 km	SU1414		✓		Red		
Grasshopper Warbler	<i>Locustella naevia</i>	3	2020	1.0 km	SU1517		✓	✓	Red		
Woodlark	<i>Lullula arborea</i>	5	2017	0.7 km	SU156162		✓ (1)	✓			Bird directive Annex I
Red Kite	<i>Milvus milvus</i>	18	2021	0.4 km	SU156162		✓ (1)				Bird directive Annex I
Grey Wagtail	<i>Motacilla cinerea</i>	17	2021	0.3 km	SU1418		✓		Red		
Yellow Wagtail	<i>Motacilla flava</i>	4	2021	0.3 km	SU156162		✓		Red		
Spotted Flycatcher	<i>Muscicapa striata</i>	16	2021	0.45 km	SU1515		✓	✓	Red		
House Sparrow	<i>Passer domesticus</i>	10	2021	0.3 km	SU1616		✓	✓	Red		



Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
Black Redstart	<i>Phoenicurus ochruros</i>	1	2009	1.3 km	SU1515		✓ (1)		Red		
Redstart	<i>Phoenicurus phoenicurus</i>	1	2017	1.3 km	SU1515		✓				
Marsh Tit	<i>Poecile palustris</i>	8	2021	1.4 km	SU1517		✓		Red		
Bullfinch	<i>Pyrrhula pyrrhula</i>	14	2021	0.3 km	SU1615		✓	✓			
Water Rail	<i>Rallus aquaticus</i>	8	2021	0.7 km	SU156162		✓				
Firecrest	<i>Regulus ignicapilla</i>	7	2021	0.6 km	SU1415		✓ (1)				
Sand Martin	<i>Riparia riparia</i>	1	2013	0.3 km	SU1515		✓				
Whinchat	<i>Saxicola rubetra</i>	1	2008	0.3 km	SU1515		✓		Red		
Siskin	<i>Spinus spinus</i>	11	2021	0.4 km	SU1616		✓				
Starling	<i>Sturnus vulgaris</i>	13	2021	0.3 km	SU1515		✓		Red		
Redwing	<i>Turdus iliacus</i>	17	2020	0.3 km	SU1515		✓ (1)		Red		
Song Thrush	<i>Turdus philomelos</i>	12	2020	0.2 km	SU11		✓		Red		
Fieldfare	<i>Turdus pilaris</i>	15	2021	0.3 km	SU1414		✓ (1)				
Mistle Thrush	<i>Turdus viscivorus</i>	10	2021	0.3 km	SU1717		✓		Red		
Barn Owl	<i>Tyto alba</i>	5	2021	0.3 km	SU1616		✓ (1)				
Higher Plants											
Brown Galingale	<i>Cyperus fuscus</i>	25	2020	0.7 km	SU1517		✓ (8)	✓			
Copse-bindweed	<i>Fallopia dumetorum</i>	6	2021	1.0 km	SU143166		✓	✓			
Tubular Water-dropwort	<i>Oenanthe fistulosa</i>	1	2013	1.43 km	SU1571417681		✓	✓			
Butcher's-broom	<i>Ruscus aculeatus</i>	4	2013	0.6 km	SU1616		✓	✓			Habitats Directive - Annex V
Invertebrates											
Knot Grass	<i>Acronicta rumicis</i>	3	2011	1.5 km	SU154147			✓			
Beaded Chestnut	<i>Agrochola lychnidis</i>	3	2011	1.6 km	SU152146			✓			
Green-brindled Crescent	<i>Allophyes oxyacanthae</i>	2	2016	1.9 km	SU139148			✓			



Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
Ear Moth	<i>Amphipoea oculea</i>	1	2011	1.5 km	SU154147			✓			
Mouse Moth	<i>Amphipyra tragopoginis</i>	1	2011	1.5 km	SU154147			✓			
Brown-spot Pinion	<i>Anchoscelis litura</i>	2	2006	1.7 km	SU142148			✓			
Garden Tiger	<i>Arctia caja</i>	3	2011	1.5 km	SU154147			✓			
Sprawler	<i>Asteroscopus sphinx</i>	1	2015	1.8 km	SU158180			✓			
Centre-barred Sallow	<i>Atethmia centrago</i>	2	2011	1.6 km	SU152146			✓			
Mottled Rustic	<i>Caradrina morpheus</i>	1	2011	1.7 km	SU142148			✓			
Broom Moth	<i>Ceramica pisi</i>	1	2010	1.7 km	SU142148			✓			
Sallow	<i>Cirrhia icteritia</i>	3	2011	1.6 km	SU152146			✓			
Small Heath	<i>Coenonympha pamphilus</i>	7	2018	1.7 km	SU170160			✓			
Small Square-spot	<i>Diarsia rubi</i>	1	2011	1.7 km	SU142148			✓			
Small Phoenix	<i>Ecliptopera silaceata</i>	1	2011	1.7 km	SU142148			✓			
September Thorn	<i>Ennomos erosaria</i>	2	2011	1.6 km	SU152146			✓			
Dusky Thorn	<i>Ennomos fuscantaria</i>	4	2011	1.5 km	SU154147			✓			
August Thorn	<i>Ennomos quercinaria</i>	2	2011	1.6 km	SU152146			✓			
Autumnal Rustic	<i>Eugnorisma glareosa</i>	1	2006	1.7 km	SU142148			✓			
Jersey Tiger	<i>Euplagia quadripunctaria</i>	1	2013	1.0 km	SU144157			✓			Habitats Directive - Annex II
Small Emerald	<i>Hemistola chrysoprasaria</i>	2	2010	1.7 km	SU142148			✓			



Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
Ghost Moth	<i>Hepialus humuli</i>	1	2006	1.7 km	SU142148			✓			
Rustic	<i>Hoplodrina blanda</i>	4	2014	1.5 km	SU153147			✓			
Rosy Rustic	<i>Hydraecia micacea</i>	3	2011	1.5 km	SU154147			✓			
Shoulder-striped Wainscot	<i>Leucania comma</i>	2	2011	1.6 km	SU152146			✓			
White Admiral	<i>Limenitis camilla</i>	1	2015	2.0 km	SU173161			✓			
Rosy Minor	<i>Litologia literosa</i>	1	2011	1.5 km	SU154147			✓			
Brindled Beauty	<i>Lycia hirtaria</i>	1	2011	1.7 km	SU142148			✓			
Dot Moth	<i>Melanchra persicariae</i>	3	2014	1.5 km	SU153147			✓			
Powdered Quaker	<i>Orthosia gracilis</i>	1	2011	1.7 km	SU142148			✓			
Common Fan-foot	<i>Pechipogo strigilata</i>	1	2006	1.5 km	SU169162			✓			
Large Wainscot	<i>Rhizedra lutosa</i>	3	2011	1.6 km	SU152146			✓			
White-letter Hairstreak	<i>Satyrium w-album</i>	1	2017	1.4 km	SU144151			✓			
White Ermine	<i>Spilosoma lubricipeda</i>	4	2011	1.6 km	SU152146			✓			
Buff Ermine	<i>Spilosoma lutea</i>	4	2016	1.5 km	SU154147			✓			
Hedge Rustic	<i>Tholera cespitis</i>	2	2011	1.5 km	SU154147			✓			
Feathered Gothic	<i>Tholera decimalis</i>	2	2011	1.6 km	SU152146			✓			
Blood-vein	<i>Timandra comae</i>	2	2014	1.5 km	SU153147			✓			
Cinnabar	<i>Tyria jacobaeae</i>	3	2014	1.5 km	SU153147			✓			
Oak Hook-tip	<i>Watsonalla binaria</i>	5	2011	1.5 km	SU154147			✓			
Dark-barred Twin-spot Carpet	<i>Xanthorhoe ferrugata</i>	3	2014	1.5 km	SU153147			✓			
Mammals - Terrestrial (non-bats)											



Species		No. of records	Latest record	Nearest record	Grid reference of nearest record	HSR ¹	W&C Act ²	SPI ³	BOCC ⁴	IUCN Red List ⁵	Other
Common name	Latin name										
European Water Vole	<i>Arvicola amphibius</i>	1	2014	1.8 km	SU154181		✓ (5)	✓			
West European Hedgehog	<i>Erinaceus europaeus</i>	11	2020	0.1 km	SU153161			✓			
Brown Hare	<i>Lepus europaeus</i>	2	2018	1.4 km	SU155177			✓			
Eurasian Otter	<i>Lutra lutra</i>	8	2018	0.7 km	SU154155	✓	✓ (5)	✓			Habitats Directive - Annex II
Pine Marten	<i>Martes martes</i>	1	2018	1.1 km	SU151151		✓ (5)	✓			Habitats Directive - Annex V
Eurasian Badger	<i>Meles meles</i>	12	2020	0.3 km	SU155166						Badger Protection Act 1992
Polecat	<i>Mustela putorius</i>	1	2015	1.2 km	SU153175			✓			Habitats Directive - Annex V
Eurasian Water Shrew	<i>Neomys fodiens</i>	1	2015	1.8 km	SU14501474						WMA, 1996
Reptiles											
Slow-worm	<i>Anguis fragilis</i>	8	2017	1.2 km	SU145153		✓ (5)	✓			
Grass Snake	<i>Natrix helvetica</i>	4	2020	0.3 km	SU15681624		✓ (5)	✓			
<p>¹ Conservation of Habitat and Species Regulation, 2017.</p> <p>² Wildlife & Countryside Act, 1981 (Schedules – 1, 4, 8 and 9).</p> <p>³ Species of Principle importance listed under the Natural Environment & Rural Communities Act, 2006.</p> <p>⁴ Birds of Conservation Concern – RSPB</p> <p>⁵ Species listed on the Global and National IUCN Red data list (EX – Extinct, Extinct in wild, CE - Critically Endangered, Endangered, VU - Vulnerable, NR - Near Threatened, LC – Least Concern, Data Deficient. GB Red Data Book: Under IUCN Criteria Includes Nationally Rare, Nationally Rare Marine, Nationally Scarce, .</p>						<p>⁶ EC Habitats Directive</p> <p>⁷ EC Bird Directive</p> <p>⁸ Wild Mammals (Protection) Act, 1996</p>					



Appendix II - Bat Preliminary Roost Assessment Results

Table 14 - Preliminary Roost Assessment Results for Building B1 (see, Figure 3a, 3b, and 3c).

Building B1					
Building type	Residential property				
Description	Building B1 is a residential property located in the eastern section of the site. The building has mixed construction. The original structure is brick built with a thatched roof and is adjoined to the north a small single story extension. A two story extension adjoins the original structure on the southern aspect, with brick walls and a pitch roof with slate tiles. There is wisteria growth covering the south-east corner of the building.				
External Inspection access/egress points and potential roosting features					
Type	Aspect	Height	Estimated Dimension	Quantity	Description
Broken fascia	South	4m	100 cm x 10 cm	1	Where the fascia has come away from the building it has left an access/egress point under the roof tiles for bats.
Gaps under roof tiles	West	4-6m	30 cm x 20 cm	>10	Gaps under lifted/damaged roof tiles suitable for crevice dwelling bats that could provide a potential roosting feature for bats.
Cavity in rotten beam	West	6-7m	20 cm x 20 cm	1	Hole in wooden beam that leads into an internal cavity extending approximately 30-50cm.
Hole in brickwork	South	5m	10cm x 5cm	1	There is a small hole between a roof beam and the brickwork, creating a small access/egress point for bats.
Missing mortar in brickwork	East	2m	15 cm x 2 cm	>10	Missing mortar in old chimney stack providing small crevices for roosting bats. Minor PRF overall.
Internal Inspection					
<ul style="list-style-type: none"> No internal inspection was completed for reasons of health & safety. The homeowner reported the loft void was not load bearing. Furthermore, no register of ACMs was available but the material was widely present on the site. It was possible to conclude the building had suitability for roosting bats without completing an internal inspection. 					



Suitability for bats	
Evidence of bats	None recorded.
Final Classification	Moderate

Table 15 – Summary and description of buildings classified as having negligible suitability to support roosting bats during the bat PRA.

Building no.	Description	External Inspection	Internal inspection	Rationale
B2	<ul style="list-style-type: none"> Building B2 is a ruined building that has partially collapsed and is located in the southern section of the site. The building has brick walls with a wooden slate tiled roof. Only part of a wooden gable end and slate roof remain on building B2, with the entire area of the building's interior exposed. The building is structurally comprised and is unsafe to enter. 	Yes	No	<ul style="list-style-type: none"> It is not safe to enter the internal area of building B2, however it was possible to see the entire area of the building's interior via an external inspection. No bat PRFs were recorded on the exterior of building B2. The internal area of building B2 lacked sufficient cover and subsequently was reasonably unlikely to support conditions that are typically used by roosting bats.
B3	<ul style="list-style-type: none"> Building B3 is a derelict former commercial building. The building has corrugated roof sheeting that is likely to contain ACMs. The walls appear to be brick built with a rendered finish. 	Yes	Yes	<ul style="list-style-type: none"> Open doorways provide potential access/egress points for bats to the internal area of building B3. No bat PRFs were recorded within the internal area of building B3, and the internal area is reasonably unlikely to provide adequate cover or conditions that are typically used by roosting bats.
B4	<ul style="list-style-type: none"> Building B4 is a derelict former commercial building. The building has corrugated roof sheeting that is likely to contain ACMs. The walls appear to be brick built with a rendered finish. 	Yes	Yes	<ul style="list-style-type: none"> No bat potential roosting features were recorded on the exterior of building B4. No bat PRFs were recorded within the internal area of building B4, and the internal area is reasonably unlikely to provide adequate cover or conditions that are typically used by roosting bats.
B5	<ul style="list-style-type: none"> Building B5 is an open faced structure that is constructed with a wooden frame and a mix of roof materials. 	Yes	Yes	<ul style="list-style-type: none"> No bat PRFs were recorded on building B5 and the building does not provide sufficient cover to provide conditions that are typically used by roosting bats.



B6	<ul style="list-style-type: none"> • Building B6 is a ruined building located in the centre of the site. The building has brick walls and appears to have no roof underneath thick vegetation cover. • Building B6 appears structurally comprised and is unsafe to enter. 	Yes	No	<ul style="list-style-type: none"> • It is not safe to enter the internal area of building B6, however it is possible to see the entire area of the building's interior via an external inspection. • No bat PRFs were recorded on building B6 and the building does not provide sufficient cover to provide conditions that are typically used by roosting bats.
B7	<ul style="list-style-type: none"> • Building B7 is a shed that has heavy vegetation cover and appears to be structurally compromised. The shed appears to have corrugated roof sheeting that could contain ACMs. It also has cement boarding that is likely to contain ACMs. 	Yes	No	<ul style="list-style-type: none"> • It is not safe to enter the internal area of building B7, however it is possible to see the entire area of the building's interior via an external inspection. • Open doorways provide potential access/egress points for bats to the internal area of building B7. • No bat PRFs were observed within the internal area of building B7, and the internal area is reasonably unlikely to provide adequate cover or conditions that are typically used by roosting bats.
B8	<ul style="list-style-type: none"> • Building B8 is a steel framed barn with a pitched roof and a small extension located on its northern aspect. The roof and sides of building B8 are finished with galvanized steel corrugated sheeting. The roof of building B8 has heavy vegetation cover. 	Yes	Yes	<ul style="list-style-type: none"> • No bat potential roosting features were recorded on the exterior or interior of building B8 at the time of the bat PRA. • The interior of building B8 does not provide sufficient cover to provide the conditions that are typically used by roosting bats.



Appendix III – Legislation & Planning Policy

8.2 Background

8.2.1 This section provides a summary of the legislation and planning policy that could be relevant to the development. Where possible we have limited this section to the areas relevant to this report. This means the legislation and planning policy outlined below is not included in its entirety.

8.2.2 This section does not constitute legal advice, and only, represents the interpretation and professional judgement of the ecologists named in this report, on the legislation and planning policy deemed relevant to the development.

8.3 RAMSAR Convention

8.3.1 RAMSAR sites are wetlands of international importance that have been designated under the criteria of the RAMSAR Convention on Wetlands for containing representative, rare or unique wetland types or for their importance in conserving biological biodiversity (JNCC, 2019).

8.3.2 The National Planning Policy Framework (NPPF, 2019) outlines the level of consideration that should be given to RAMSAR sites in Planning. Paragraph 191 states that RAMSAR and potential RAMSAR sites should be given the same protection as ‘habitat sites’ defined as those afforded protection under the Conservation of Habitat and Species Regulations (2017), such as Special Protection Areas or Special Areas of Conservation.

8.4 Conservation of Habitat and Species Regulations, 2017

8.4.1 The Conservation of Habitats and Species Regulations, 2017 transposes the EC Habitats Directive and some elements of the EC Bird Directive into national law in England and Wales. The objective of the Habitats Directive is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The directive lays down rules for the protection, management and exploitation of such habitats and species.

Protected Species

8.4.2 The regulations include provisions that prohibit certain actions from the protection of species listed under Annex II of the Habitat Directive. It is a criminal offence for a person to ‘intentionally or recklessly’ take the following action:

- Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS);



- Deliberately disturb wild animals of any such species in such a way as to be likely to affect significantly the local distribution or abundance of the species to which they are likely to belong;
- Deliberately take or destroy eggs of any such wild animal;
- Deliberately pick, collect, uproot or destroy a wild plant of a EPS; and
- Keep transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a EPS, or any part of or anything derived from such an animal or plant.

8.4.3 The disturbance of such animals includes in particular; any disturbance that is likely to impact their ability;

- To survive, to breed or reproduce, or to rear or nurture their young;
- In case of animals of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the specie to which they belong.

Protected Sites

8.4.4 The Conservation of Habitats and Species Regulations, 2017 puts an obligation on the appointed appropriate authority for England & Wales to establish priorities for a network of nationally important sites.

8.4.5 The aforementioned sites, often referred to as European protected sites are formed of two types of sites, Special Protection Areas (sites specifically designated for birds) and Special Areas of Conservation (specifically designated for fauna and flora). The objective is for all species and habitats covered by these sites to contribute towards the maintenance and restoration of their favourable conservation status.

8.4.6 Designation can include but is not limited to the following reasons:

- A natural habitat type specific in Annex I of the Habitat Directive;
- A species specified in Annex II of the Habitats Directive;
- For the coherence of the national network of protected sites; and
- For threats of degradation or destruction to which the sites are exposed.



8.5 Wildlife and Countryside Act, 1981 (as amended)

8.5.1 The Wildlife and Countryside Act, 1981 (as amended) primarily transposes the UK Governments obligations under the Bird Directive and Bern Convention into law. The act outlines provisions for the protection of nationally important sites for nature conservation and provides protection at different levels for certain animals and plants, including certain prohibitions.

Protection of Birds

8.5.2 Part 1 – Section 1 includes certain prohibitions for the protection of birds which make it a criminal offence for a person to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage, or destroy the nest of any wild bird while it is in use or being built;
- Intentionally take or destroy the egg of any wild bird;
- Have in any ones possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act, 1954;
- Use traps or similar items to kill, injure or take wild birds;
- Have in ones possession or control any bird of a species occurring on schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the secretary of state’s regulations; and
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the independent young of such a bird.

Protection of Animals

8.5.3 Part 1 – Section 9 of the act includes certain prohibitions for the protection of certain animals named in schedule 5. In summary offences include:

- If any person intentionally or recklessly kills, injures or takes any wild animal included in schedule 5;
- If any person has in his possession or control any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal;



- If any person intentionally or recklessly damages or destroys, or obstructs access to, any structure or place which any wild animal included in schedule 5 uses for shelter or protection; or
- Disturb any such animal while it is occupying a structure or place which it uses for that purpose; and
- Sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild animal included in schedule 5, or any part of, or anything derived from, such an animal, or publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.

Protection of Plants

8.5.4 Part 1 – Section 13 includes certain prohibitions for the protection of certain wild plants named in schedule 8. In summary offences include if any person:

- Intentionally picks, uproots or destroys any wild plant included in schedule 8, or not being an authorised person, intentionally uproots any wild plants not included in that Schedule;
- Sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild plant included in schedule 8, or any part of, or anything derived from, such a plant; or
- Publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.

Invasive Species

8.5.5 Part 1 – Section 14 includes certain prohibitions for the introduction of certain invasive species named in schedule 9 of the act. In summary offences include if any person:

- Subject to the provisions of this part, if any person releases or allows to escape into the wild any animal which is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or (b) is included in Part of Schedule 9; and/ or
- Subject to the provisions of this part, any person who plants, or otherwise causes to grow, any plant in the wild at a place out with its negative range is guilty of an offence.



Sites of Specific Scientific Interest

- 8.5.6 Part 2 – Sections 28-33 of the act set out the law regarding Sites of Specific Scientific Interest (SSSI) by the conservation bodies in England (Natural England) and Wales (Natural Resource Wales) and outlines the offences with respect to SSSI.
- 8.5.7 The offences outlined in the act apply to any person(s), public body, land owner or occupier as well as statutory undertakers or permitted developments. Examples of offences include (but are not limited to):
- Any person intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI, or disturbing wildlife for which the site was notified;
 - Public bodies are not allowed to carry out damaging operations on an SSSI, except where they notified the relevant conservation agency. It is also an offence for a public body to fail to minimise damage on an SSSI or – if damage occurs – to fail to restore a SSSI to its former state; and
 - Statutory bodies have a general duty to take reasonable steps to further to conservation and enhancement of the special feature of SSSI's;
 - Where statutory bodies propose to undertake or permit activities that could affect a SSSI they must consult the relevant statutory nature conservation agency. If the activity cannot be avoided it must be undertaken in a way least damaging to the SSSI; and
 - If you are the owner or occupier of a SSSI, it is an offence to carry out any activity that may likely damage the SSSI without consent from the relevant conservation agency. The law requires that you inform the conservation agency of any changes in the ownership or occupancy.

Other Protected Areas

- 8.5.8 Part 2 – Section 34 to 52 of the act deals with other protected areas within the UK such as limestone pavements, national nature reserves and marine nature reserves. The act allows designation of these sites by the appropriate authority for the purpose of conserving flora and fauna or geological or physiological features of specific interest in an area to protect the site. Furthermore, the act prohibits certain actions in National Parks for certain habitats without consent from local authorities.

8.6 Countryside Right of Ways Act, 2000

- 8.6.1 The Countryside Right of Ways Act, 2000 (CRoW Act, 2000) makes provisions for public access, amends the law for public rights of ways and amends existing law on nature conservation and the protection of wildlife as well as makes further provisions for Areas of Outstanding Natural Beauty.



Wildlife Legislation

- 8.6.2 Part III of the CRoW Act, 2000 includes provisions for wildlife protection and nature conservation and includes amendments to the Wildlife & Countryside Act, 1981.
- 8.6.3 Schedule 9 of the CRoW Act, 2000 increases powers for the protection and management of SSSI. There are increased powers for appropriate authorities to secure management agreements for SSSI. A duty is placed on public bodies to have regard for the continued conservation and enhancement of SSSI. Furthermore, there are increased penalties for the prosecution of wildlife crime, including for third parties that damage SSSI.
- 8.6.4 Schedule 12 of the CRoW Act, 2000 makes certain offences under the provision of the Wildlife and Countryside Act, 1981 arrestable. Greater powers are given to police and appointed wildlife inspectors under the CRoW Act, 2000 and enables heavier penalties for the prosecution of wildlife crime.

8.7 Natural Environment & Rural Communities Act, 2006

- 8.7.1 The Natural Environment and Rural Communities Act (NERC), 2006 is primarily intended to implement key aspects of the governments rural strategy published in July 2004. It also addresses a wider range of issues relating broadly to the natural environment.

Section 40

- 8.7.2 Section 40 of the NERC Act, 2006, places a duty on any public authority and statutory undertaker to have due regard for the conservation and enhancement of biodiversity when delivering their functions, extending the provisions outlined under section 74 of the CRoW Act, 2000.
- 8.7.3 The policy goes on to state that conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of that habitat.

Section 41

- 8.7.4 Section 41 of the NERC Act, 2006 requires the secretary of state in consultation with Natural England to outline Species of Principle Importance (SPI) and Habitats of Principle Importance (HPI) that in their opinion are important for the conservation of biodiversity.
- 8.7.5 The secretary of state is required to:
- Take such steps as appear to the secretary of state to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section; or



- Promote the taking by other of such steps.

8.7.6 The NERC Act, 2006 also provides some amendments to the Wildlife & Countryside Act, 1981 (as amended) and includes provisions for enforcement powers and the protection of SSSI.

8.8 Protection of Badgers Act, 1992

8.8.1 The Protection of Badgers Act, 1992 makes it a criminal offence to wilfully kill, injure or take any badger, or attempt to do so. It also makes it an offence to intentionally or recklessly damage, destroy or obstruct access to any part of a badger sett.

8.9 Wild Mammals (Protection) Act, 1996.

8.9.1 The Wild Mammals (Protection) Act, 1996 makes provision for the protection of wild mammals from certain cruel acts, and for connected purposes. It would be an offence for any person that mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild animal with intent to inflict unnecessary suffering.

8.10 The Environmental Act, 2021

8.10.1 The Environmental Act, 2021 gained royal ascent on the 9th November, 2021. The act is wide ranging and broadly has the following aim:

‘a bill to make provision about targets, plans and policies for improving the natural environment, for statements and reports about environmental protection; for the office of environmental protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards, about water, about nature and biodiversity; for conservation covenants; about the regulation of chemicals, and for connected purposes’.

Nature and Biodiversity

8.10.2 Part 6 – Sections 98 - 101 of the act outlines provisions for biodiversity gain in planning.

8.10.3 Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England.

8.10.4 Schedule 14 states that, the biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the on-site habitat by at least the relevant percentage.

8.10.5 It goes on to state that the biodiversity value attributable to the development is the total of:



- The post development biodiversity value of the on-site habitat;
 - The biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development; and
 - The biodiversity value of any biodiversity credits purchased for the development.
- 8.10.6 The relevant percentage is set at 10% for biodiversity gain.
- 8.10.7 Part 6 – Section 100 of the act outlines provisions by regulation for the secretary of a register of biodiversity gain sites (known as the biodiversity gain site register).
- 8.10.8 A biodiversity gain site is land where:
- A person is required under the conservation covenant or planning obligation to carry out works for the purpose of habitat enhancement;
 - That or another person is required to maintain the enhancement for at least 30 years after the completion of the works; and
 - For the purpose of schedule 7A to the Town and Country Planning Act, 1990 the enhancement is made available to be allocated (conditionally or unconditionally, and whether for consideration or otherwise) in accordance with the terms of the covenant or obligation to one or more developments for which planning permission is granted.
- 8.10.9 Part 6 – Section 101 states that the secretary of state may make arrangements under which a person who is entitled to carry out the development of any land may purchase a credit from the secretary of state for the purpose of meeting the biodiversity gain objective referred to in schedule 7A to the Town and Country Planning Act, 1990 Schedule 2A of the Planning Act, 2008.
- 8.10.10 A credit is to be regarded for the purpose of that schedule as having such biodiversity value as is determined under the arrangements.
- 8.10.11 The arrangements may in particular include arrangements relating to:
- Applications to purchase credits
 - The amount payable in respect of a credit of a given value;
 - Proof of purchase;
 - Reimbursement for credits purchased for development which is not carried out.



8.11 National Planning Policy Framework (2021)

8.11.1 The National Planning Policy Framework (NPPF, Ministry of Housing Communities and Local Government, 2021) sets out the Government's planning policies for England and how these should be applied. It provides a framework which locally prepared plans for housing and other developments can be produced.

8.11.2 The NPPF supplements Government Circular: Biodiversity and Geological Conservation 06/2005 (Office of the Deputy Prime Minister, 2005).

Conserving and Enhancing the Natural Environment

8.11.3 Paragraph 174 of the NPPF states – 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 matter 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 an unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, where 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.

8.11.4 Paragraph 179 States. In order 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.

8.11.5 Paragraph 180 states. When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from the 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 SSSI site, 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 species scientific interest, and any broader impacts on the national network of SSSI sites.
- 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 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.

8.11.6 Paragraph 180 States. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

8.11.7 Paragraph 181 is also relevant to the development It states:

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



- 8.11.8 Paragraph 175 is also relevant stating that, plans should distinguish between the hierarchy of international, national and locally designated sites, allocated land with the least environmental or amenity value, where consistent with other policies in this framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

8.12 Biodiversity and Geological Conservation Circular 06/2005

- 8.12.1 Biodiversity and geological conservation circular 06/2005 provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the NPPF, 2019 and the Planning Practice Guidance. Broadly the guidance covers designated sites, the conservation of habitats and species, including outside of designated sites, protected species by law and the duties and powers used by planning authorities.
- 8.12.2 Paragraph 82 of the guidance states that ‘in determining the application for development that is covered by up to date standing advice, a planning authority must take into account this standing advice’.

Protected Species and Planning

- 8.12.3 Paragraph 98 of the guidance states ‘the presence of a protected species is a material planning 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’.
- 8.12.4 Paragraph 98 also states that ‘they (the planning authority) should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species.’
- 8.12.5 Paragraph 99 of the guidance goes on to state: ‘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, otherwise all relevant material considerations may not have been addressed in making the decision’. Paragraph 99 also states that ‘this is justified only, where there is a reasonable likelihood of the species being present and affected by the development.’

8.13 New Forest District Council Local Plan (2016-2036) Part One: Planning Strategy

Policy ENV1: Mitigating the impacts of development on International

- 8.13.1 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.

8.13.2 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 Strategy²⁹, and in supplementary guidance on nutrient management.

8.13.3 For non-residential developments, the requirement for mitigation will be considered on case-by-case basis with regard to the nature, scale and location of the proposed use.

8.13.4 The approved mitigation measures for residential developments currently include:

- 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.



- 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;
- 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; and
- 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.

8.14 25 year Government Environment Plan

8.14.1 A green future: Our 25 Year Plan to Improve the Environment, sets out broadly what the UK governments approach to maintaining and enhancing the natural environment will be over the next 25 years. It is part of the UK governments goal to be the first generation to ‘leave our environment in a better state than we found it’. The plan covers cleaner air and water, public forests and woodland, marine protected areas, special protection including thriving plants and wildlife, administrative and governance issues.

8.15 Birds of Conservation Concern

8.15.1 Birds of Conservation Concern is a report compiled by a coalition of the UK’s leading bird conservation and monitoring organisations and reviews the conservation status of all regularly occurring birds in the UK, Channel Islands and Isle of Man. The report was first released in 1996 and is currently in its 5th edition, released in 2021.

8.15.2 The bird species that breed and overwinter in the UK are assessed against a set of objective criteria and placed on the Green, Amber or Red lists that indicate the levels of conservation concern. The quantitative criteria collected is assessed against the historical decline, recent trends in population and range, population size, localisation and the level of international importance of each species, as well as its global and European threat status.

8.16 IUCN Red List

8.16.1 The international Union for Conservation of Nature (IUCN) Red List of Threatened Species (also known as the IUCN Red List or Red Data Book) is an inventory of the global conservation status of biological species. The inventory is based upon internationally accepted criteria that evaluates the extinction risk of species in all regions of the world. There are two types of red list, the global and national lists. In the UK the IUCN Red List is overseen by an inter-agency working group that is coordinated by the Joint Nature Conservation Committee.



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