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Ecological Report

Preliminary Ecological Appraisal

Land at:

6 Shore Path, Gurnard

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1. INTRODUCTION

I am instructed to carry out a Preliminary Ecological Appraisal on land at 6 Shore Path, Gurnard. The survey was carried out by Andrew Southcott *BSc (Hons) ACIEEM* on 1st November 2021. The weather at the time was fine with an approximate temperature of 12°C. Andrew is a qualified and experienced ecologist with over 14 years experience of surveying and working with a wide range of protected species and habitats, and is an associate member of the Chartered Institute of Ecology and Environmental Management.

- 1.1 **Site Description:** The site is located at OS grid reference SZ47690 95794, measuring approximately 0.05ha as shown in Figure 1. The site is part of the established residential curtilage, consisting of existing bungalow, rear lawn garden and several small sheds. There is existing direct connectivity to a woodland on land at the rear of the site. The nearest part of the woodland was also included in the survey to assess its value and any potential conflicts that may arise from the proposals. The woodland is partly locally designated as a SINC (Gurnard Cliff East), with the designation covering the area immediately behind the garden, and extending southwards.



Figure 1. Aerial view of surveyed area outlined in yellow (Google Earth 2021)

2. METHOD

- 2.1 **Data Search:** A desktop investigation of environmental information relating to this site was obtained via Google Earth, Magic and the IWLRC.
- 2.2 **Habitat Survey:** The site was surveyed based on extended Phase 1 survey methodology (Joint Nature Conservation Committee, 2010), as recommended by Natural England, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic habitat types present and allows identification of areas of greater potential which may, depending on impacts to them, require further survey.

2.3 **Species Survey:** General faunal activity, such as mammals or birds observed visually or by call during the course of the survey was recorded, as well as any signs from searches of features with the potential to act as refugia. Specific attention was also paid to the potential presence of any protected, rare or notable species, and included European Protected Species and local Biodiversity Action Plan species and habitats.

2.4 **Limitations:**

2.4.1 This survey provides a snapshot of the site at the time the survey was carried out, however features of ecological value can change. Therefore this report is valid for a period of 12 months from the latest date, and further survey evaluation is sometimes required to provide scientifically robust evidence of species presence/absence.

2.4.2 All species that occur in each habitat would not necessarily be detectable at any given time of the year, since different species are apparent at different seasons. This survey took place outside the optimum period for general habitat assessments (April to August inclusive), and this limitation was taken into account when assessing the potential for the site to support protected species.

3. RESULTS

3.1 **Data Search:** There are records for site designations and protected/priority species near to this site. A search using data from IWLRC within a 1km radius identified the following summary list of features, as shown in Figures 2-4.

- **SPA** – Solent & Dorset Coast.
- **SAC** – Solent Maritime.
- **Priority Habitats** - Lowland mixed deciduous woodland; Lowland meadow; Coastal & floodplain grazing marsh; Intertidal mudflats; Maritime cliff and slope.
- **Ancient Woodland** – Hornhill Copse (ASNW), unnamed woodland between Shore Rd & Woodvale Rd (ASNW).
- **SINC's** – Gurnard Cliff West (C014A); Hornhill Copse (C154A); Princes Esplanade Wood (C234A); Gurnard Cliff East (C235A); Gurnard Marsh (C236A&B).

3.1.1 The international designations relate to coastal habitats and their importance for a range of priority bird species. The site is outside of these designations but within the SPA buffer zone, meaning that a development proposal may need to provide mitigation payment in line with the Solent Recreation Mitigation Strategy. Furthermore, the scheme would need to show that it can achieve a nitrate neutral status; meaning that it will need to avoid any additional nutrient additions into the Solent from site drainage arrangements. The site is immediately adjacent to a woodland SINC (Gurnard Cliff East), which although it is a secondary woodland it includes priority maritime cliff and slope habitat. The proximity of these habitats to the site is therefore considered within this assessment.

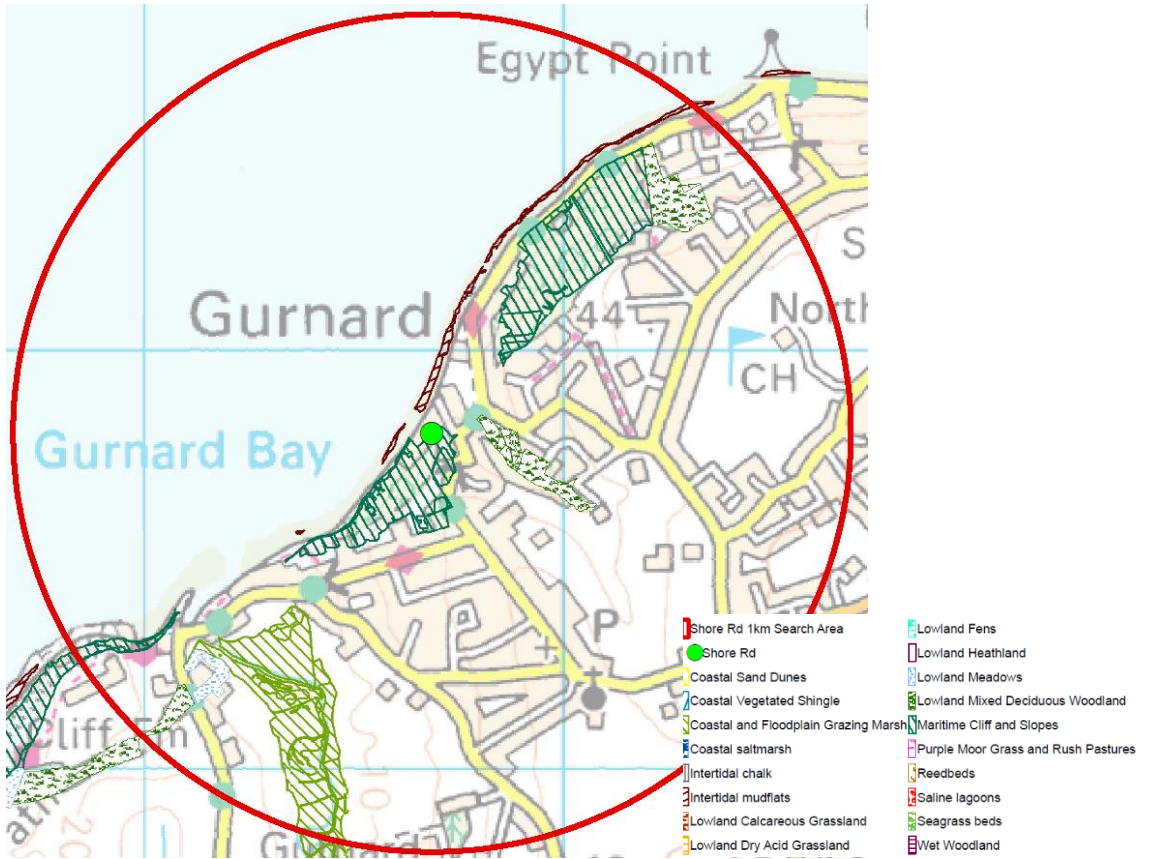


Figure 2. Priority habitats within 1km of site centre (IWLRC 2021)



Figure 3. Local nature conservation designations (SINC's) within 1km of site centre (IWLRC 2021)

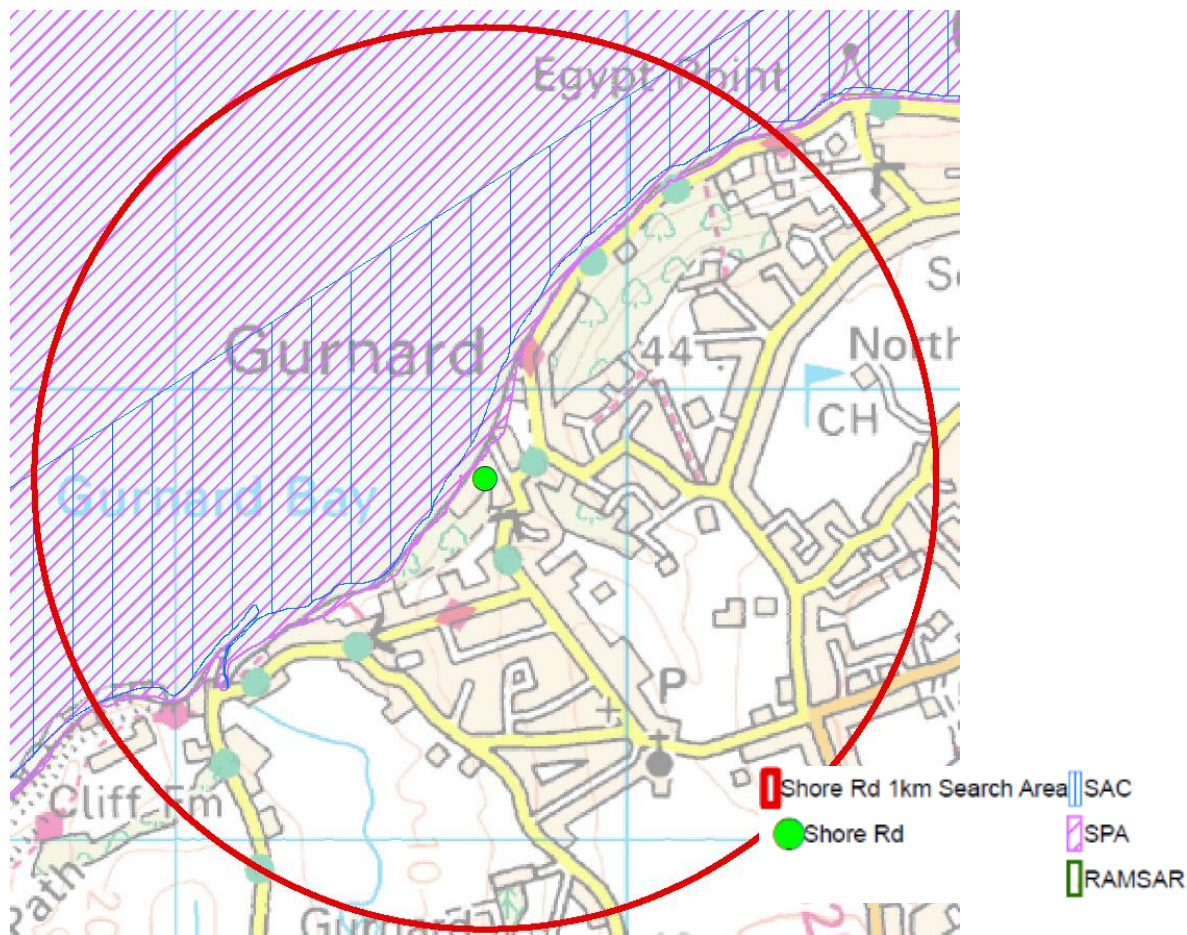


Figure 4. International designations within 1km of site centre (IWLRC 2021)

3.1.2 A data search for priority and protected species revealed records as listed at Appendix 4. To summarise there are a high number of records for red squirrel, as well as records for hedgehog, brown hare, dormouse and badger. Apart from brown hare, all are recorded nearby, with dormouse being recorded in the adjacent woodland. For bats, there are records for a range of species; Barbastelle, Serotine, Brandt's, Daubenton's, Whiskered, Natterer's and Pipistrelle sp. There are **no** records for great crested newt, water vole, adder, common lizard or grass snake.

3.2 Habitat Survey:

3.2.1 Habitat types:

The following habitat classifications were recorded across the site (with Phase 1 habitat codes in brackets), in order of approximate coverage:

- Broadleaved woodland (A1.1.1) – 0.03ha
- Buildings & other (J3.6/J5) – 0.01ha
- Amenity grass (lawn) (J1.2) - <0.01ha
- Introduced shrub (J1.4) – <0.01ha

These are mapped on the site plan at Appendix 1, with target notes in Appendix 2. The botanical composition was typical of each habitat, and all species recorded were common and widespread. No rare vascular plants or notifiable weeds were found.

3.2.1.1 Domestic curtilage (Buildings and rear garden):

The actual site was limited to a small rear garden and back of the existing dwelling, including a very small area of short mown amenity lawn, several shed outbuildings, and a very small area of shrub bed. The rear section of the dwelling is fully clad with a shallow pitched felt roof, uPVC windows, soffits and fascia's. The larger outbuilding was a pent roof shed with plastic cladding and corrugated sheet roofing, and the smallest structure was a timber shed partially clad. The lawn area was dominated by common grasses with very little species diversity, being mostly limited to daisy and dandelion. The very small shrub bed to the side of the smaller shed included evergreens such as Fatsia, Yucca and Laurus. There were no signs of protected or other species presence and all features were of low ecological value, and no priority habitat extended into this site.



Figure 5. Rear garden looking towards dwelling (left), and from dwelling towards woodland boundary (right), including sheds, lawn and small shrub bed

3.2.1.2 Off-site woodland:

Although fully outside the site and unaffected by any proposals, the adjacent woodland was partially surveyed within 30m of the rear garden fence to assess its value and any potential for indirect impacts upon it as a result of site alterations, particularly given its local designation as a SINC (Gurnard Cliff East). The woodland nearest the site was of an unmanaged secondary appearance, which has developed over many years of neglect on an old tip site (a lot of remnant debris including glass, metals, containers etc. present). This has given the site an uneven appearance with many hollows/gaps in the soil, now covered by ground flora dominated by ivy. All nearest canopy trees were sycamore, with some bay and elder in a sparse shrub layer. There was evidence of well worn mammal paths and digging, as well as a badger sett entrance (see 3.3.2 for further details) set well back in a bank as the ground levels rose to the SE. Nearest the garden boundary the ground was raised due to historic accumulation of garden and other debris built up along the fence line.



Figure 6. Woodland SINC to rear, looking NW towards site

3.3 **Species Survey:**

During the visit general faunal activity was noted. This was limited to only three bird species – wood pigeon, blue tit and blackbird. There was also some evidence of mammal activity as discussed below.

3.3.1 **Bats:**

Signs of bat usage were searched for externally around the existing domestic buildings on site; including for droppings, suitable entry points, scratch marks and oil staining. However no signs of bat activity were found, and all structures were considered unsuitable for roosting and/or hibernating due to a lack of accessible roof voids or crevices, or other features of any value. The main dwelling was fully uPVC clad and very well sealed with no gaps or suitable entry points. The small sheds/outbuildings were also plastic clad, in constant use, and had no roof voids.

There were no trees on site, although several mature sycamores were set further back in the adjacent woodland. However, the nearest woodland trees including those with any adjacent or partially overhanging foliage were younger and lacked and features of bat roost potential. The larger mature tree cover did include features such as dense ivy, deadwood and decay pockets, and is part of a larger tract of coastal woodland with nearby records of bat species that inhabit trees and woodland. As such it should be assumed that bats will be present within the woodland and would likely forage or commute over this woodland edge site. Therefore recommendations are made below to ensure that any development avoids impacts to these protected species.

3.3.2 **Badgers (*Meles meles*):**

There are a low number of local badger records, however the site is adjacent to a suitable woodland habitat and wider connectivity to residential gardens and the rural landscape further SW. Signs of setts, access points, hairs, paths, latrines and evidence

of feeding activity (snuffle holes) were searched for within the site. No setts were present and no evidence of any badger or other mammal activity was noted within this very small enclosed site. As building activity would take place adjacent to the wider woodland, the nearest area of woodland habitat was also assessed for these protected species. Although no evidence of any badger activity was found nearest the garden boundary, further back a network of worn mammal paths were seen, with several scattered snuffle holes and shallow diggings. Further away still and well away from any influence of the site, a single badger sett entrance hole was noted on rising ground to the SE. This included fresh digging and badger hairs. It is therefore clear that badgers are active within the adjacent woodland, but not in close enough proximity to the site as to be directly affected by the proposed scheme, which would not impact on or result in any interference or obstruction of access to any sett. Notwithstanding this, the close proximity of the site to the locally designated woodland and nearby presence of protected species is such that recommendations are made below to prevent disturbance or other adverse impacts occurring during demolition and construction works.

3.3.3 **Nesting birds:**

A total of 3 common bird species were observed as noted above; these all being Species of Low Conservation Concern (RSPB Green list). Evidence of active nesting was searched for, but given the time of year no current nesting was noted either within the site or in the adjacent woodland. It is unlikely given the small size and lack of suitable vegetation structure within the garden that any nesting would occur on-site, however a range of species are likely to nest in the adjacent woodland. It should be borne in mind that any clearance of dense vegetation or overhanging tree cover should either be avoided or first inspected by a qualified ecologist during the period 1st March - 31st August inclusive. Recommendations are made below to enhance nesting opportunities as part of any future development.

3.3.4 **Reptiles:**

The only local record for reptiles is a single slow worm record. A search was carried out within the site for reptiles; however no reptiles, or evidence of reptiles, was found. This site is very limited by its small size and lack of any suitable reptile habitat or potential refugia, and is largely shaded and enclosed from surrounding habitats. It is therefore considered highly unlikely that any reptile species would be present on site, and the conservation status of reptile species would not be adversely affected by any site proposals.

3.3.5 **Great crested newts (*Triturus cristatus*):**

There are no records for GCN within the local search area, and no ponds or other suitable water bodies exist on site. Given these factors it is considered that this species will not be a relevant constraint to any future proposals for this site.

3.3.6 **Dormice (*Muscardinus avellanarius*):**

There are local records for dormice, including within the adjacent woodland SINC. However, the site itself is of no value to this species due to its very small size, being self-contained, and not supporting any suitable foraging or nesting habitat. As for

other species, the nearest area of the adjacent woodland was assessed for its value to dormice and inspected for any evidence of such, but no nests or other evidence was found. The poor structural and species diversity in the immediate area are unlikely to be of high value to this species, and overall it is concluded that the proposed scheme would have no adverse impact on this protected species as long as a precautionary approach to site works is followed.

3.3.7 **Invertebrates:**

The site was dominated by structures and low-value amenity lawn, and so it will be of very low potential for supporting notable invertebrate assemblages, in particular those species listed as a priority in the UK Biodiversity Action Plan. The scheme would not impact upon adjacent woodland flora or structure, although that too is very limited in its species diversity and potential value for supporting priority invertebrate species. Recommendations are made below to enhance where possible the value of the site for terrestrial invertebrates as part of soft landscaping.

3.3.8 **Other species:**

No other protected or priority species, or evidence of any, were observed during the site visit. A high number of records for Red squirrel exist, and with direct connectivity to woodland habitat it is highly likely that red squirrels will utilise the connected tree cover alongside the site for foraging and dispersal. The proposed scheme would not impact on this, and as long as a precautionary approach to demolition and construction is followed, there should be no adverse impacts to this species. As above, some landscaping enhancements could enhance the value of the site in future. Aside from squirrels, there were records for hedgehog, and a single record for brown hare. The latter is not a relevant constraint to this site given its small enclosed domestic appearance, although it is quite possible that hedgehogs could be present within this or adjacent gardens and dispersing through the wider woodland cover. Recommendations for some landscaping enhancements including creation of small boundary fence gaps would will benefit this species.

4. **CONCLUSIONS AND RECOMMENDATIONS**

4.1 **Site Evaluation:** This site is a very small established residential curtilage of little ecological value, but is directly adjacent to a wider area of secondary woodland that supports several protected species. The proposed scheme would actually result in the built environment being moved further away from the SINC and woodland boundary compared to the existing situation. Although the scheme would have no direct impact upon the wider woodland, recommendations are made to ensure there are no indirect impacts, and also to enhance the site interior where possible.

4.2 **Recommendations:**

Where the potential presence of any protected species within a site may be impacted by a development there are legal obligations to consider, as summarised in Appendix 3. In supporting this primary consideration, the National Planning Policy Framework (NPPF) requires developments to maximise opportunities for biodiversity by mitigating impacts and building in enhancement; thereby making a positive contribution towards the broad objectives of national and local Biodiversity Action

Plans (BAPs) and resulting in a net biodiversity gain for the site. In line with these legal and policy guidelines, the following site-specific recommendations are made:

- Given the location of this site in close proximity to the internationally designated coastal and marine habitats, the scheme may require an agreed level of developer financial contribution in relation to the Solent Recreation Mitigation Strategy. In addition, the design will need to specify how any additional domestic waste will be treated, in order to avoid any discharge into the Solent and achieve a nitrate neutral development in respect of the Solent SPA.
- In order to avoid any potential disturbance or pollution impacts on the adjacent woodland SINC and protected species present within it as a result of demolition and construction activities on-site, a Construction Environmental Management Plan (CEMP) is recommended as a condition of planning. This would detail measures to protect the woodland habitat during site works.
- Where possible within this small site the scheme could include some additional native and edible soft planting, such as alongside the rear boundary fence. This would assist in enhancing foraging, cover and nesting opportunities for a range of species including invertebrates, birds, hedgehogs and red squirrels.
- The proposed scheme also provides the opportunity to incorporate ecological enhancement such as bird boxes for locally occurring priority species, and an integral bat tube to enhance future roosting potential adjacent to the woodland. Additionally, in order to minimise any impact on the value of the existing woodland for foraging bats, new exterior lighting should be minimised and kept away from the rear boundary and off-site tree cover, to avoid light spill into this habitat. A further enhancement that could be designed into the scheme would be inclusion of several gaps in boundary fencing to assist with movement of hedgehogs into and/or through the garden from the adjacent woodland as well as neighbouring gardens.
- As noted in section 3.3.3, all in-use bird nests and their contents are protected. Therefore where active nests are present any required clearance, whether this be for vegetation or existing structures, should be undertaken outside the period 1st March to 31st August inclusive. If works are required within this period then a suitably qualified ecologist must be engaged prior to commencement in order to check for nesting birds and advise accordingly.
- If excavations are to be undertaken, it should be noted that open trenches could potentially trap wildlife, especially if these fill up with water. If trenches cannot be in-filled immediately then they should either be covered overnight or escape routes should be provided. These should be in the form of rough boards placed at 45° from the bottom of the trench, with their upper ends above ground level.

5. REFERENCES

- Bat Conservation Trust (2016) *Bat Surveys – Good Practice Guidelines. 3rd edition*. Bat Conservation Trust, London.
- English Nature (2006) *The Dormouse Conservation Handbook*, 2nd Edition. EN, Peterborough.
- Gent, A.H., and Gibson, S.D., eds (1998) *Herpetofauna workers' manual*. Joint Nature Conservation Committee, Peterborough.
- Harris, S., Cresswell, P. and Jeffries, D., (1989) *Surveying Badgers*. The Mammal Society, London.
- Joint Nature Conservation Committee (2010) *Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit*. Reprinted by JNCC, Peterborough.





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9th November 2021

Appendix 1 - Phase 1 Habitat Survey Site Plan



Legend

	Broadleaved woodland (A1.1.1)		Improved grassland (B4)
	Introduced shrub (J1.4)		Target note (with number)
	Survey boundary		Buildings & other (J3.6/J5)

Appendix 2 - Target Notes

Target Number	Notes
1	Rear of main dwelling, consisting of shallow pitched roof bungalow, fully cladded with well sealed uPVC soffits, fascia's and windows.
2	Larger outbuilding/shed, consisting of pent roof plastic clad building on concrete pad footing.
3	Small partially plastic clad timber shed on blocks with central area of mown amenity lawn and small shrub border on SW boundary.
4	Large area of off-site secondary woodland, with nearest area dominated by sycamore with weak understorey and shrub layer, and ground layer dominated by ivy over extensive dumped materials (old tip site).
5	Wider area of woodland with multiple mammal paths worn into the ivy ground cover, and a single badger sett entrance hole dug into rising ground further away to SE.

Appendix 3 - Legislation

Birds:

In Britain, all wild birds, their nests and eggs are protected under the Wildlife & Countryside Act 1981. There are penalties for:

- *Killing, injuring or capturing them, or attempting any of these;*
- *Taking or damaging the nest whilst in use;*
- *Taking or destroying the eggs.*

Bats:

In England, Scotland and Wales, all bat species are fully protected under the Wildlife and Countryside Act 1981 (WCA) (as amended), through inclusion in Schedule 5. In England and Wales this Act has been amended by the Countryside and Rights of Way Act 2000 (CROW), which adds an extra offence, makes species offences arrestable, increases the time limits for some prosecutions, and increases penalties.

All bats also receive protection under the Conservation of Habitats and Species Regulations 2010 (as amended), which defines 'European protected species of animals'. It is an offence to:

- *Intentionally or deliberately kill, injure or capture (or take) bats;*
- *Deliberately disturb bats (whether in a roost or not);*
- *Recklessly disturb roosting bats or obstruct access to their roosts;*
- *Damage or destroy roosts;*
- *Possess or transport a bat or any part of a part of a bat, unless acquired legally;*
- *Sell (or offer for sale) or exchange bats, or parts of bats.*

The word 'roost' is not used in the legislation, but is used here for simplicity. The actual wording is 'any structure or place which any wild animal...uses for shelter or protection' (WCA), or 'breeding site or resting place' (Habitats Regulations). As bats generally have both a winter and a summer roost, the legislation is clear that all roosts are protected whether bats are in residence at the time or not.

Badgers:

Badgers are protected in Britain by the Protection of Badgers Act 1992. The purpose of this Act is to protect the animals from deliberate cruelty and from the incidental effects of lawful activities which could cause them harm. Under this legislation it is an offence to:

- *Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so;*
- *Interfere with a sett by damaging or destroying it;*
- *Obstruct access to, or any entrance of, a Badger sett;*
- *Disturb a Badger when it is occupying a sett.*

Note that if any of the above resulted from a person being *reckless*, even if they had no intention of committing the offence, their action would still be considered an offence. A person is not guilty of an offence if it can be shown that the act was '*the incidental result of a lawful operation and could not have been reasonably avoided*'; only a court can decide what is 'reasonable' in any set of circumstances.

Penalties for offences under this legislation can be up to six months in prison and a fine of up to £5,000 for each offence.

A Badger sett is defined in the Act as '*any structure or place which displays signs indicating current use by a Badger*'. This can include culverts, pipes and holes under sheds, piles of boulders, old mines and quarries, etc.

'Current use' does not simply mean 'current occupation' and for licensing purposes it is defined as '*any sett within an occupied Badger territory regardless of when it may have last been used*'. A sett therefore, in an occupied territory, is classified as in current use even if it is only used seasonally or occasionally by Badgers, and is afforded the same protection in law.

Reptiles:

All six species of British reptile are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The adder, common lizard, grass snake and slow worm are fully protected under this legislation from deliberate killing and injury. Sale and related commercial activities are also proscribed. In addition, the sand lizard and smooth snake also receive a higher level of protection under Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making them European Protected Species.

Amphibians:

All British amphibian species receive a degree of protection under the 1981 Wildlife and Countryside Act (as amended). The level of protection varies from protection from sale or trade only, as is the case with species such as smooth newt and common toad, to the more rigorous protection afforded to the great crested newt.

The UK holds a large percentage of the world population of great crested newt, and as such has an international obligation to conserve the species. It therefore receives full protection under national and European legislation. As a European Protected Species it receives protection under the Conservation of Habitats and Species Regulations 2010 (as amended), making it an offence to:

- *Deliberately kill, injure or capture a great crested newt;*
- *Deliberately disturb, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to hibernate, or migrate, or which is likely to affect significantly their local distribution or abundance;*
- *Deliberately take or destroy their eggs;*
- *Damage or destroy a breeding site or resting place.*

Dormice:

Dormice are afforded protection under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended). Under this legislation, it is an offence to:

- *deliberately capture, injure or kill hazel dormice;*
- *damage or destroy a dormouse resting place or breeding site;*
- *deliberately or recklessly disturb a hazel dormouse while it's in a structure or place of shelter or protection;*
- *block access to structures or places of shelter or protection;*
- *possess, sell, control or transport live or dead hazel dormice, or parts of hazel dormice.*

Water voles:

The water vole, although common in many parts of mainland Europe, is at the western edge of their natural range in the UK, and have declined dramatically over the last century, in particular over the last 30 years. As such it is a UK BAP Priority Species and is protected under Schedules 5 of the Wildlife and Countryside Act 1981 (as amended), receiving full protection since 2008. It is an offence to:

- *intentionally kill, injure or take (capture);*
- *Possess a live or dead water vole, or any part thereof;*
- *intentionally or recklessly damage or destroy any place used for shelter or protection;*
- *intentionally or recklessly disturb a water vole whilst occupying a structure used for shelter or protection, or obstruct access to its place of shelter or protection;*
- *Sell, or offer for sale, possess or transport for the purposes of sale, any live or dead water vole, or part of, or advertising any of these for buying or selling.*



Appendix 4 - Data search results from IWLRC

(see attached records list dated 23.09.2021)