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Land off Back Lane, Bere Regis

Follow up Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

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Site Summary
Semi-Improved Grassland site, with existing housing development to the east and to the south. The site is bordered by hedges along the south and north with occasional trees. A hedge runs north-south through the middle of the site. Patches of scrub and trees have been removed from the centre of the site.

Scope
This survey and report has been commissioned to determine suitability of sites to be included within the Bere Regis local development plan.

The site was previously surveyed in October 2016. This survey and report is a follow-up report.
An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required.
In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

Methodology

1. A desk base survey of the site was undertaken on 5th February 2024. MAGIC website was checked for records of protected species and designated wildlife sties. The DERC records were also checked for species records and wildlife sites.

2. A walkover field assessment of the site was undertaken on 26th January 2024. An assessment was made of the broad habitat types according to the NVC Phase 1 Habitat classification system, as well as likely presence of individual protected species.

Results

Grid Reference	SY844951	
Site Size	16,350m2	
Biodiversity Plan required	Yes	
Habitat units on site *	6.88 habitat and 230 hedgerow units	
Distance from International Protected Site	765m	Black Hill Heath SPA/SAC
Distance from National Protected Site	765m	Black Hill Heath SSSI
Distance from Local Protected Site	220m	SY89/043

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	Within-Site	On Boundary	Adjacent to Site
Woodland	No	No	No
Hedgerow	Yes	Yes	Yes
Scrub	Yes	Yes	Yes
Grassland	Yes	No	Yes
Trees	Yes	Yes	Yes

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	Yes	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	Yes	Yes (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	Yes
Badger	Yes	No (FN5)

*Habitat Units calculated by Metric 4.0

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Bat species likely to be using trees and grassland as foraging habitat. Trees will need repeat survey to determine presence/absence of cavity roosts. Suitable mitigation required

FN3 Vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan



Photo 1. East side of the site looking south



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Photo 2. West side of the site



Nutrient Neutrality

Under the Habitat Regulations Assessment guidelines, any development must not have an adverse impact on Internationally Designate wildlife sites. Sites in the Bere Regis area are part of the Poole Harbour drainage catchment, which is a nutrient sensitive area. An assessment of the number of dwellings proposed on each site is required and using the Nutrient Budget Calculator tool, calculate the likely increase in nutrients that the development will cause, and propose suitable mitigation.

Conclusions

The habitat on site is of low ecological value.
The site design will require 6.88 habitat units and 230 hedgerow units to be created on site, or similar suitable alternative elsewhere. The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.
The developer will need to calculate the increase in nutrient output, based on the number of proposed units.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)

Special Protection Areas (SPA) and Special Areas of Conservation (SAC) form a network of protected sites across the European Union called Natura 2000. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2010 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to the Natura 2000 sites.

SACs specifically are sites which support intentionally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the birds directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest at the national level.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR)

Sites of Special Scientific Interest (SSSI) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNR) are also usually designated as SSSIs and area specifically managed for their wildlife value. They received legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended).

As with SSSIs these sites generally receive strict protection through the planning system.

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Locally Designated Sites – Local Nature Reserves (LNR)

Local Nature Reserves (LNR) are designated by local authorities under the National Park and Access to the Countryside Act 1949. These are generally designated not only for their local wildlife value but also for education, scientific and recreational purposes. These sites generally receive protection from development through the planning system.

Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINC) or Sites of Nature Conservation Importance (SNCI) amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

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Appendix 2 Protected Species Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41.

These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
- • To impair its ability to survive, breed, or rear or nurture their young;
- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
- • Lesser horseshoe bat (*Rhinolophus hipposideros)*;
- • Bechstein's bat (*Myotis bechsteinii)*;
- • Barbastelle (*Barbastella barbastellus)*; and
- • Greater mouse-eared bat (*Myotis myotis)*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara)*, slow-worm (*Anguis fragilis)*, adder (*Vipera berus)* and grass snake (*Natrix natrix)*, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- • Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard (*Lacerta agilis)* and smooth snake (*Coronella austriaca)*) receive a higher level of protection via

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inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). However, the distribution of these species are restricted to only a very few sites.

Dormouse (*Muscardinus avellanarius*)

The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it 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

Great Crested Newt (*Triturus cristatus*)

Great crested newts (GCN) are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 it is illegal to:

- • Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS).
- • Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- • Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals in particular any disturbance which is likely impair their ability in the case of hibernating or migratory species to hibernate or migrate.
- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

- • Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
- • damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e an otter shelter)

Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

White-clawed crayfish are fully protected under UK and European legislation: •	Bern Convention 1979: Appendix III
•	IUCN Red Data List
•	Wildlife & Countryside Act (as Amended) 1981: Schedule 5
•	EC Habitats Directive 1992: Annex II and V(a)
•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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Land Off North Street, Bere Regis

Follow up Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

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Site Summary
Improved Grassland site, with existing housing to the south and east, with a network of fields and hedges to the west. The site is bordered by hedges, with occasional trees.

Scope
This survey and report has been commissioned to determine suitability of sites to be included within the Bere Regis local development plan.

The site was previously surveyed in October 2016. This survey and report is a follow-up report.
An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required.
In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

Methodology

1. A desk base survey of the site was undertaken on 5th February 2024. MAGIC website was checked for records of protected species and designated wildlife sties. The DERC records were also checked for species records and wildlife sites.

2. A walkover field assessment of the site was undertaken on 26th January 2024. An assessment was made of the broad habitat types according to the NVC Phase 1 Habitat classification system, as well as likely presence of individual protected species.

Results

Grid Reference	SY850950	
Site Size	6,000m2	
Biodiversity Plan required	Yes	
Habitat units on site *	2.4 habitat units	
Distance from International Protected Site	1150m	Black Hill Heath SPA/SAC
Distance from National Protected Site	1150m	Black Hill Heath SSSI
Distance from Local Protected Site	422m	SY89/018

*Habitat Units calculated by Metric 4.0

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	Within-Site	On Boundary	Adjacent to Site
Woodland	No	No	No
Hedgerow	No	Yes	Yes
Scrub	No	No	Yes
Grassland	Yes	No	Yes
Trees	No	Yes	Yes

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	No	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	No	No (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	Yes
Badger	Yes	Yes (FN5)

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Bat species likely to be using trees, hedges and grassland as foraging habitat. Suitable mitigation required

FN3 Any woody vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan



Photo 1. East side of the site looking south



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Photo 2. South side of the site looking west



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Nutrient Neutrality
Under the Habitat Regulations Assessment guidelines, any development must not have an adverse impact on Internationally Designate wildlife sites. Sites in the Bere Regis area are part of the Poole Harbour drainage catchment, which is a nutrient sensitive area. An assessment of the number of dwellings proposed on each site is required and using the Nutrient Budget Calculator tool, calculate the likely increase in nutrients that the development will cause, and propose suitable mitigation.

Conclusions
The habitat on site is of low ecological value, but surrounded by hedges of medium value. The site design will require 2.4 habitat units to be retained or created on site, or similar suitable alternative elsewhere. The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.
The developer will need to calculate the increase in nutrient output, based on the number of proposed units.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)

Special Protection Areas (SPA) and Special Areas of Conservation (SAC) form a network of protected sites across the European Union called Natura 2000. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2010 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to the Natura 2000 sites.

SACs specifically are sites which support intentionally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the birds directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest at the national level.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR)

Sites of Special Scientific Interest (SSSI) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNR) are also usually designated as SSSIs and area specifically managed for their wildlife value. They received legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended).

As with SSSIs these sites generally receive strict protection through the planning system.

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Locally Designated Sites – Local Nature Reserves (LNR)

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Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINC) or Sites of Nature Conservation Importance (SNCI) amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

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Appendix 2 Protected Species Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41.

These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
- • To impair its ability to survive, breed, or rear or nurture their young;
- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
- • Lesser horseshoe bat (*Rhinolophus hipposideros)*;
- • Bechstein's bat (*Myotis bechsteinii)*;
- • Barbastelle (*Barbastella barbastellus)*; and
- • Greater mouse-eared bat (*Myotis myotis)*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara)*, slow-worm (*Anguis fragilis)*, adder (*Vipera berus)* and grass snake (*Natrix natrix)*, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- • Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard (*Lacerta agilis)* and smooth snake (*Coronella austriaca)*) receive a higher level of protection via

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inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). However, the distribution of these species are restricted to only a very few sites.

Dormouse (*Muscardinus avellanarius*)

The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it 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

Great Crested Newt (*Triturus cristatus*)

Great crested newts (GCN) are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 it is illegal to:

- • Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS).
- • Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- • Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals in particular any disturbance which is likely impair their ability in the case of hibernating or migratory species to hibernate or migrate.
- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

- • Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
- • damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e an otter shelter)

Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

White-clawed crayfish are fully protected under UK and European legislation: •	Bern Convention 1979: Appendix III
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•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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Land Off North Street, Bere Regis

Follow up Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

[redacted]

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Site Summary
Improved Grassland site, with existing commercial land to the east, off the A35 roundabout. Network of fields and hedges to the west. The site is bordered by hedges, with occasional trees.

Scope
This survey and report has been commissioned to determine suitability of sites to be included within the Bere Regis local development plan.

The site was previously surveyed in October 2016. This survey and report is a follow-up report.
An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required.
In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

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Results

Grid Reference	SY850952	
Site Size	17,250m2	
Biodiversity Plan required	Yes	
Habitat units on site *	6.9 habitat units	
Distance from International Protected Site	1250m	Black Hill Heath SPA/SAC
Distance from National Protected Site	1250m	Black Hill Heath SSSI
Distance from Local Protected Site	400m	SY89/018

*Habitat Units calculated by Metric 4.0

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	Within-Site	On Boundary	Adjacent to Site
Woodland	No	No	No
Hedgerow	No	Yes	Yes
Scrub	No	No	Yes
Grassland	Yes	No	Yes
Trees	No	Yes	Yes

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	No	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	Yes	No (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	Yes
Badger	Yes	Yes (FN5)

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Bat species likely to be using trees, hedges and grassland as foraging habitat. Suitable mitigation required

FN3 Any woody vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan



Photo 1. East side of the site looking south



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Photo 2. South side of the site looking west



Nutrient Neutrality

Under the Habitat Regulations Assessment guidelines, any development must not have an adverse impact on Internationally Designate wildlife sites. Sites in the Bere Regis area are part of the Poole Harbour drainage catchment, which is a nutrient sensitive area. An assessment of the number of dwellings proposed on each site is required and using the Nutrient Budget Calculator tool, calculate the likely increase in nutrients that the development will cause, and propose suitable mitigation.

Conclusions

The habitat on site is of low ecological value, but surrounded by hedges of medium value. The site design will require 6.9 habitat units to be retained or created on site, or similar suitable alternative elsewhere. The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.
The developer will need to calculate the increase in nutrient output, based on the number of proposed units.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)

Special Protection Areas (SPA) and Special Areas of Conservation (SAC) form a network of protected sites across the European Union called Natura 2000. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2010 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to the Natura 2000 sites.

SACs specifically are sites which support intentionally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the birds directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest at the national level.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR)

Sites of Special Scientific Interest (SSSI) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNR) are also usually designated as SSSIs and area specifically managed for their wildlife value. They received legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended).

As with SSSIs these sites generally receive strict protection through the planning system.

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Locally Designated Sites – Local Nature Reserves (LNR)

Local Nature Reserves (LNR) are designated by local authorities under the National Park and Access to the Countryside Act 1949. These are generally designated not only for their local wildlife value but also for education, scientific and recreational purposes. These sites generally receive protection from development through the planning system.

Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINC) or Sites of Nature Conservation Importance (SNCI) amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

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Appendix 2 Protected Species Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41.

These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
- • To impair its ability to survive, breed, or rear or nurture their young;
- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
- • Lesser horseshoe bat (*Rhinolophus hipposideros)*;
- • Bechstein's bat (*Myotis bechsteinii)*;
- • Barbastelle (*Barbastella barbastellus)*; and
- • Greater mouse-eared bat (*Myotis myotis)*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara)*, slow-worm (*Anguis fragilis)*, adder (*Vipera berus)* and grass snake (*Natrix natrix)*, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- • Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard (*Lacerta agilis)* and smooth snake (*Coronella austriaca)*) receive a higher level of protection via

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inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). However, the distribution of these species are restricted to only a very few sites.

Dormouse (*Muscardinus avellanarius*)

The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it 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

Great Crested Newt (*Triturus cristatus*)

Great crested newts (GCN) are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 it is illegal to:

- • Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS).
- • Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- • Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals in particular any disturbance which is likely impair their ability in the case of hibernating or migratory species to hibernate or migrate.
- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

- • Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
- • damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e an otter shelter)

Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

White-clawed crayfish are fully protected under UK and European legislation: •	Bern Convention 1979: Appendix III
•	IUCN Red Data List
•	Wildlife & Countryside Act (as Amended) 1981: Schedule 5
•	EC Habitats Directive 1992: Annex II and V(a)
•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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Former School Site, Rye Hill, Bere Regis

Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

[redacted]

Guy Lowndes
Environmental Consultant

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Site Summary
Former school site, partially developed with red brick buildings, pre fabricate classrooms, playground and grassland. The site contains trees, grassland, derelict buildings and scrub. The site is bordered by housing to the south, Rye Hill road to the west and fields to the north and east.

Scope
An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required. In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

Methodology

1. A desk base survey of the site was undertaken on 5th February 2024. MAGIC website was checked for records of protected species and designated wildlife sties. The DERC records were also checked for species records and wildlife sites.

2. A walkover field assessment of the site was undertaken on 26th January 2024. An assessment was made of the broad habitat types according to the NVC Phase 1 Habitat classification system, as well as likely presence of individual protected species.

Results

Grid Reference	SY847942	
Site Size	6,400m2	
Biodiversity Plan required	Yes	
Habitat units on site *	2.85	
Distance from International Protected Site	446m	Black Hill Heath SPA/SAC
Distance from National Protected Site	446m	Black Hill Heath SSSI
Distance from Local Protected Site	470m	SY89/043

*Habitat Units calculated by Metric 4.0

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	Within-Site	On Boundary	Adjacent to Site
Woodland	Yes (1538m2)	No	No
Hedgerow	No	Yes	Yes
Scrub	No	No	Yes
Grassland	Yes (2350m2)	No	Yes
Trees	Yes	Yes	Yes

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	Yes	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	Yes	Yes (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	Yes
Badger	Yes	No (FN5)

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Main school building potential for bat roost – full survey required. Bat species likely to be using trees and grassland as foraging habitat. Trees will need repeat survey to determine presence/absence of cavity roosts. Suitable mitigation required

FN3 Vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan



Photo 1. Former School Buildings



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Photo 2. South east corner of the site



Nutrient Neutrality

Under the Habitat Regulations Assessment guidelines, any development must not have an adverse impact on Internationally Designate wildlife sites. Sites in the Bere Regis area are part of the Poole Harbour drainage catchment, which is a nutrient sensitive area. An assessment of the number of dwellings proposed on each site is required and using the Nutrient Budget Calculator tool, calculate the likely increase in nutrients that the development will cause, and propose suitable mitigation.

Conclusions

The habitat on site is of medium ecological value.
The site design will require 2.85 habitat units to be created on site, or similar suitable alternative elsewhere.
The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.
The developer will need to calculate the increase in nutrient output, based on the number of proposed units.
Natural England consultation will be required and are likely to permit development, but may impose restrictions on pet ownership due to the proximity to protected sites.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)

Special Protection Areas (SPA) and Special Areas of Conservation (SAC) form a network of protected sites across the European Union called Natura 2000. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2010 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to the Natura 2000 sites.

SACs specifically are sites which support intentionally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the birds directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest at the national level.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR)

Sites of Special Scientific Interest (SSSI) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNR) are also usually designated as SSSIs and area specifically managed for their wildlife value. They received legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended).

As with SSSIs these sites generally receive strict protection through the planning system.

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Locally Designated Sites – Local Nature Reserves (LNR)

Local Nature Reserves (LNR) are designated by local authorities under the National Park and Access to the Countryside Act 1949. These are generally designated not only for their local wildlife value but also for education, scientific and recreational purposes. These sites generally receive protection from development through the planning system.

Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINC) or Sites of Nature Conservation Importance (SNCI) amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

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Appendix 2 Protected Species Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41.

These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
- • To impair its ability to survive, breed, or rear or nurture their young;
- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
- • Lesser horseshoe bat (*Rhinolophus hipposideros)*;
- • Bechstein's bat (*Myotis bechsteinii)*;
- • Barbastelle (*Barbastella barbastellus)*; and
- • Greater mouse-eared bat (*Myotis myotis)*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara)*, slow-worm (*Anguis fragilis)*, adder (*Vipera berus)* and grass snake (*Natrix natrix)*, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- • Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard (*Lacerta agilis)* and smooth snake (*Coronella austriaca)*) receive a higher level of protection via

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inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). However, the distribution of these species are restricted to only a very few sites.

Dormouse (*Muscardinus avellanarius*)

The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it 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

Great Crested Newt (*Triturus cristatus*)

Great crested newts (GCN) are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 it is illegal to:

- • Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS).
- • Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- • Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals in particular any disturbance which is likely impair their ability in the case of hibernating or migratory species to hibernate or migrate.
- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

- • Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
- • damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e an otter shelter)

Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

White-clawed crayfish are fully protected under UK and European legislation: •	Bern Convention 1979: Appendix III
•	IUCN Red Data List
•	Wildlife & Countryside Act (as Amended) 1981: Schedule 5
•	EC Habitats Directive 1992: Annex II and V(a)
•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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Land Off Tower Hill, Bere Regis

Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

[redacted]

Guy Lowndes
Environmental Consultant

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Site Summary
Improved Grassland site, with existing commercial land to the east, off the A35 roundabout. Network of fields and hedges to the west. The site is bordered by hedges, with occasional trees.

Scope
This survey and report has been commissioned to determine suitability of sites to be included within the Bere Regis local development plan.

An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required. In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

Methodology

1. A desk base survey of the site was undertaken on 5th February 2024. MAGIC website was checked for records of protected species and designated wildlife sties. The DERC records were also checked for species records and wildlife sites.

2. A walkover field assessment of the site was undertaken on 26th January 2024. An assessment was made of the broad habitat types according to the NVC Phase 1 Habitat classification system, as well as likely presence of individual protected species.

Results

Grid Reference	SY846949	
Site Size	850m2	
Biodiversity Plan required	Yes (due to presence of priority habitat)	
Habitat units on site	0.34 Habitat units; 0.58 Hedgerow habitats	
Distance from International Protected Site	850m	Black Hill Heath SPA/SAC
Distance from National Protected Site	850m	Black Hill Heath SSSI
Distance from Local Protected Site	760m	SY89/018

*Habitat Units calculated by Metric 4.0

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	Within-Site	On Boundary	Adjacent to Site
Woodland	No	No	No
Hedgerow	No	Yes	Yes
Scrub	No	No	No
Grassland	Yes	No	Yes
Trees	No	No	No

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	No	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	Yes	No (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	Yes
Badger	Yes	Yes (FN5)

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Bat species likely to be using hedges and grassland as foraging habitat. Suitable mitigation required

FN3 Any woody vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

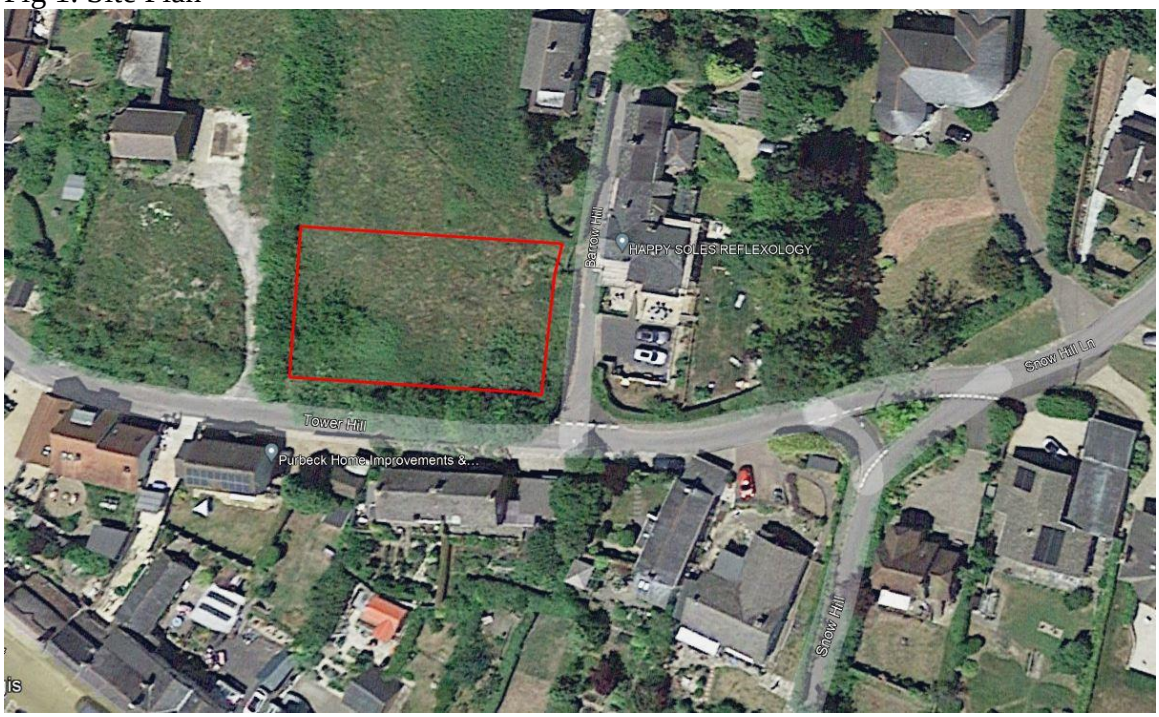
FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan



Nutrient Neutrality
Under the Habitat Regulations Assessment guidelines, any development must not have an adverse impact on Internationally Designate wildlife sites. Sites in the Bere Regis area are part of the Poole Harbour drainage catchment, which is a nutrient sensitive area. An assessment of the number of dwellings proposed on each site is required and using the Nutrient Budget Calculator tool, calculate the likely increase in nutrients that the development will cause, and propose suitable mitigation.

Conclusions
The habitat on site is of low ecological value, but surrounded by hedges of medium value. The site design will require 0.35 habitat units to be retained or created on site, or similar suitable alternative elsewhere. The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.
The developer will need to calculate the increase in nutrient output, based on the number of proposed units.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

Statutory Sites

Internationally Designated Sites - Ramsar Sites, Special Areas of Conservation (SAC) and Special Protection Areas (SPA)

Special Protection Areas (SPA) and Special Areas of Conservation (SAC) form a network of protected sites across the European Union called Natura 2000. In the United Kingdom the primary legislative protection is afforded to these sites under the Conservation of Habitats and Species Regulations 2010 (as amended).

Ramsar sites are designated as wetlands of international importance which are afforded similar legislative protection to the Natura 2000 sites.

SACs specifically are sites which support intentionally important habitats or internationally important assemblages or populations of species. SPAs are designated for supporting internationally important populations of birds listed in the annexes of the birds directive. SACs, SPAs and Ramsar sites are generally also designated as Sites of Special Scientific Interest at the national level.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

Nationally Designated Sites – Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR)

Sites of Special Scientific Interest (SSSI) receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Such sites are designated to protect specific areas of biological or geological interest of national importance. Such sites also generally receive strict protection through the planning system.

National Nature Reserves (NNR) are also usually designated as SSSIs and area specifically managed for their wildlife value. They received legal protection through the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 (as amended).

As with SSSIs these sites generally receive strict protection through the planning system.

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Locally Designated Sites – Local Nature Reserves (LNR)

Local Nature Reserves (LNR) are designated by local authorities under the National Park and Access to the Countryside Act 1949. These are generally designated not only for their local wildlife value but also for education, scientific and recreational purposes. These sites generally receive protection from development through the planning system.

Non-Statutory Sites

Locally Designated Sites

In addition to statutory designations local authorities often designate sites of nature conservation importance at the local level. Such designations are named differently by each local authority and may be referred to as Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINC) or Sites of Nature Conservation Importance (SNCI) amongst others. The exact level of protection afforded to these sites varies and is normally defined through local planning policy.

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Appendix 2 Protected Species Legislation

Bats

All UK bat species are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41.

These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
- • To impair its ability to survive, breed, or rear or nurture their young;
- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
- • Lesser horseshoe bat (*Rhinolophus hipposideros)*;
- • Bechstein's bat (*Myotis bechsteinii)*;
- • Barbastelle (*Barbastella barbastellus)*; and
- • Greater mouse-eared bat (*Myotis myotis)*.

In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

The four widespread species of reptile that are native to Britain, namely common or viviparous lizard (*Zootoca vivipara)*, slow-worm (*Anguis fragilis)*, adder (*Vipera berus)* and grass snake (*Natrix natrix)*, are listed in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are afforded limited protection under Section 9 of this Act. This makes it an offence to:

- • Intentionally kill or injure any of these species.

The remaining native species of British reptile (sand lizard (*Lacerta agilis)* and smooth snake (*Coronella austriaca)*) receive a higher level of protection via

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inclusion under Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are afforded full protection under Section 9(4) of the Act and Regulation 41 of the Regulations (in England and Wales only) and the Wildlife and Countryside Act 1981 (as amended). However, the distribution of these species are restricted to only a very few sites.

Dormouse (*Muscardinus avellanarius*)

The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it 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

Great Crested Newt (*Triturus cristatus*)

Great crested newts (GCN) are afforded full protection under the Wildlife & Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Under Regulation 41 of the Conservation of Habitats and Species Regulations 2010 it is illegal to:

- • Deliberately capture, injure or kill any wild animal of a European Protected Species (EPS).
- • Deliberately disturb wild animals of an EPS (affecting ability to survive, breed or rear young) – disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young.
- • Deliberately disturb wild animals of an EPS (impairing ability to migrate or hibernate) – disturbance of animals in particular any disturbance which is likely impair their ability in the case of hibernating or migratory species to hibernate or migrate.
- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

- • Recklessly or intentionally kill, injure or take any wild animals included in Schedule 5.
- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
- • damage, destroy or obstruct access to a breeding site or resting place of an otter (i.e an otter shelter)

Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

White-clawed crayfish are fully protected under UK and European legislation: •	Bern Convention 1979: Appendix III
•	IUCN Red Data List
•	Wildlife & Countryside Act (as Amended) 1981: Schedule 5
•	EC Habitats Directive 1992: Annex II and V(a)
•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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White Lovington

Follow up Extended Phase 1 Ecological Survey

January 2024

Guy Lowndes (MCIEEM)

[redacted]

Guy Lowndes
Environmental Consultant

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Site Summary
Semi-Improved Grassland site, with existing housing development to the north. Rye Hill to the east, fields to the south and cemetery to the west, with tree lined boundaries and scrubby parcels in corners.

Scope
This survey and report has been commissioned to determine suitability of sites to be included within the Bere Regis local development plan.

The site was previously surveyed in October 2016. This survey and report is a follow-up report.

An extended phase 1 survey looks at the area to assess its likely value for protected species and other wildlife. It is not a specific survey for any one species and looks for general habitat types but it will identify the need for further survey work if required. In Dorset on sites of >0.1 Ha, or where protected species are present, a Biodiversity Mitigation plan may have to be prepared and submitted with the planning application

Methodology

1. A desk base survey of the site was undertaken on 5th February 2024. MAGIC website was checked for records of protected species and designated wildlife sties. The DERC records were also checked for species records and wildlife sites.

2. A walkover field assessment of the site was undertaken on 26th January 2024. An assessment was made of the broad habitat types according to the NVC Phase 1 Habitat classification system, as well as likely presence of individual protected species.

Results

Grid Reference	SY846943	
Site Size	11,000m2	
Biodiversity Plan required	Yes	
Habitat units on site *	3.3	
Distance from International Protected Site	385m*	Black Hill Heath SPA/SAC
Distance from National Protected Site	385m*	Black Hill Heath SSSI
Distance from Local Protected Site	250m	SY89/043

*Close to Statutory wildlife sites, therefore Natural England will need to be consulted. Restrictions maybe imposed such as preventing ownership of Cats and Dogs

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	Within-Site	On Boundary	Adjacent to Site
Woodland	No	Yes	Yes
Hedgerow	No	Yes	Yes
Scrub	Yes	Yes	Yes
Grassland	Yes	No	No
Trees	No	Yes	Yes

	Suitable Habitat	Further survey required
Dormouse	Yes	Yes (FN 1)
Bat	Yes (FN2)	No
Great Crested Newt	Yes	No
Water vole	No	No
Otter	No	No
Bird Nest Sites	Yes	Yes (FN3)
Common Reptile	Yes	Yes (FN4)
Barn Owl	Yes	No
Badger	Yes	No (FN5)

*Habitat Units calculated by Metric 4.0

Foot Notes

FN1 No records of Dormouse within 1km of the site. Boundary hedge and scrub parcels could be used. Survey will be required to prove absence, or suitable precautionary design required

FN2 Bat species likely to be using trees and grassland as foraging habitat. Trees will need repeat survey to determine presence/absence of cavity roosts. Suitable mitigation required

FN3 Vegetation removal works required to be undertaken outside of nesting season, or suitable surveys required to determine absence before works commence

FN4 Habitat mosaic suitable for reptile species. Survey required to determine presence/absence

FN5 No Badger setts currently recoded on site. Repeat survey will be required at the time of application

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Fig 1. Site Plan

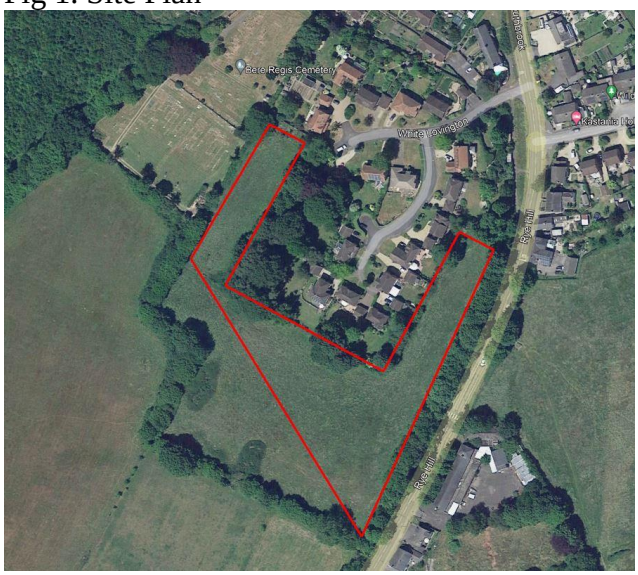




Photo 1. West side of the site

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Photo 2. East side of the site

Conclusions

The habitat on site is of low ecological value.

The site design will require 3.3 habitat units to be created on site, or similar suitable alternative elsewhere. The site is bordered by sites that may contain protected species, so further, targeted ecological surveys will be required.

Natural England will need to be consulted, but are likely to permit development, but may impose restrictions on pet ownership due to proximity to protected sites.

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Appendix 1 Habitat Legislation

Sites Designated for Nature Conservation

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Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) there is a legal requirement that competent authorities, such as local planning authorities, need to considered whether plans or projects are likely to have an significant adverse effect on the Natura 2000 or Ramsar sites either alone or in combination with other plans or projects. In the event that a likely significant effect cannot be ruled out on the basis of objective information then the competent authority must undertake an “Appropriate Assessment” to fully assess the plan or project against the sites conservation objectives. Unless certain defined derogation tests can be met the competent authority may not authorise nor undertake any plan or project which adversely affects the integrity of a Natura 2000 or Ramsar site.

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These make it an offence to:

- • Deliberately capture, injure or kill any such animal;
- • Deliberately disturb any such animal, including in particular any disturbance which is likely:
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- • To impair its ability to hibernate or migrate;
- • To affect significantly the local distribution or abundance of that species;
- • Damage or destroy a breeding site or resting place of any such animal;
- • Intentionally or recklessly disturb any of these animals while it is occupying a structure or place that it uses for shelter or protection; or
- • Intentionally or recklessly obstruct access to any place that any of these animals uses for shelter or protection.

In addition, five British bat species are listed on Annex II of the Habitats Directive. These are:

- • Greater horseshoe bat (*Rhinolophus ferrumequinum)*;
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- • Barbastelle (*Barbastella barbastellus)*; and
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In certain circumstances where these species are found the Directive requires the designation of Special Areas of Conservation (SACs) by EC member states to ensure that their populations are maintained at a favourable conservation status. Outside SACs, the level of legal protection that these species receive is the same as for other bat species.

Reptiles

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The dormouse was given partial protection under the Wildlife and Countryside Act 1981. Schedule 5 of this Act was amended in 1988 making it a fully protected species. Protection is also afforded by Schedule 2 of the Conservation (Natural Habitats &c.) Regulations 1994, making the dormouse a European protected species. These two pieces of legislation make it an offence to:

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- • Deliberately disturb wild animals of an EPS (affecting local distribution and abundance) – disturbance of animals includes in particular any disturbance which is likely to affect significantly the local distribution or abundance of the species to which they belong.
- • Damage or destroy a breeding site or resting place of a wild animal of an EPS.

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Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to:

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- • Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included in Schedule 5 uses for shelter or protection.
- • Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Otter (*Lutra lutra)*

Under the Habitats Regulations, otters are classed as "European Protected Species" and therefore given the highest level of species protection. The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007 enhanced this protection such that it is an offence to:

- • deliberately or recklessly kill, injure or take (capture) an otter
- • deliberately or recklessly disturb or harass an otter
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Barn Owl

Sites used by Barn Owls have no protection *per se*, other than that afforded by virtue of the presence of other protected flora or fauna. However, because nesting adults and dependent young are **protected against disturbance**, the buildings or trees they occupy are effectively protected during these periods. At other times nest and roost sites can be legally altered or even destroyed. Traditional Barn Owl sites seem to be attractive to the species as a whole; nest sites can be re-used over long periods of time, not only by the same birds, but by successive generations of unrelated individuals, and even re-occupied by new individuals after long periods of absence

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•	EC Habitats Directive 1992: Annex II and V(a)
•	The Prohibition of Keeping of Live Fish (Crayfish) Order 1996 (implemented under the Import of Live Fish (England and Wales) Act 1980)
•	Countryside Rights of Way Act 2000 (CRoW 2000)

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