

Preliminary Appraisal & Ecological Impact Assessment

**Former BMW Garage, Waters Lane, Angmering,
Littlehampton, BN16 4EH**

For:

Karen Henry

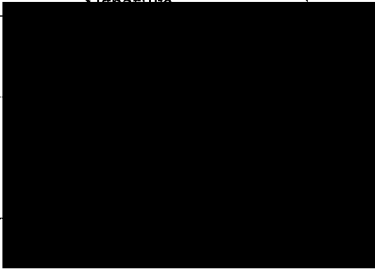
December 2020

CONTROLLED COPY

01 OF 02

01 KAREN HENRY – MCCARTHY AND STONE
02 ABBAS ECOLOGY

*This report is the responsibility of Abbas Ecology,
It should be noted, that whilst every effort is made to meet the client's brief,
no site investigation can ensure complete assessment
or prediction of the natural environment*

	Name	Date	Signature
Report prepared by:	Jennifer Chamblor	23/12/2020	
Checked by:	Jonathan Crewe	05/01/2020	

Abbas Ecology
14 Cowleaze
Martinstown
Dorset DT2 9TD

Reference Number: AE/4728

Executive Summary

Survey date: 11/11/2020 & 23/12/2020

Location: Former BMW Garage, Water Lane, Angmering, Littlehampton, BN16 4EH

Grid Reference: TQ 06925 04447

The initial assessment of the site found potential bat roosting features on the external structure of the carport building and the cottage. Therefore, further investigation would be required prior to development in order to adequately mitigate against any impacts of the development.

The derelict site consists of a motor vehicle showrooms, workshops, offices, outbuilding, a courtyard with a large carport with brick pillars and a small cottage. The site was assessed for its potential to support protected species and habitats. The current proposal involves demolishing all the buildings/structures on the site to develop 33 retirement living apartments and associated parking.

There was medium habitat potential for breeding birds within the trees, shrubs, hedgerows and outbuilding. The large carport and cottage had potential bat roosting features on the external structures. There were no bat roosting features on the other buildings and there was no potential or evidence of bats roosting internally.

Summary of Constraints	Potential	Potential	Features of Importance	Further survey Work required?
Roosting bats		Medium	External structure of the carport & cottage	Yes
Breeding Birds		Medium	Trees, shrubs, hedgerows and the outbuilding	No (precautions in place)

I. Scope

I.1 Survey

A preliminary ecological appraisal 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.

I.2 Site

The site is approximately 0.44 hectares and is located within the centre of Angmering. The site is surrounded by residential buildings. The derelict site consists of a motor vehicle showrooms, workshops, offices, outbuilding, a courtyard with a large carport with brick pillars and a small cottage (figure 1).



Figure 1. Aerial view of the site, the approximate site area outlined in red (aerial image Copyright Google Earth).

1.3 Plan

The current proposal involves demolishing all the buildings/structures on the site to develop 33 retirement living apartments and associated parking (figure 2).



Figure 2. Proposed development plan (Copyright KSA Architects Limited).

2. Biological Records

Mapping information was looked at on the MAGIC Defra website. The following was determined:

- The closest designated sites are Climping Beach (SSSI) and West Beach (LNR) which are 5.3km Southwest of the site.
- The next nearest designated sites include Arundel Park (SSSI) (5.9km), Cissbury Ring (SSSI) (7.5km) and Lancing Ring (LNR) (10.9km).
- The site is a Countryside Stewardship priority area for Lapwing.
- The site is within an SSSI Impact Zone but the proposal does not fall under any of the potential categories stated.

The development site contained very little interesting habitat features except for low bat roosting potential. Therefore, a search for only bat species within 2km of the site was requested from the Sussex Biodiversity Record Centre. The search revealed 39 records, dating from 1992 to 2016, comprising of at least six species including common pipistrelle, soprano pipistrelle, serotine, natterer's bat, brown long-eared and noctule.

3. Methodology

The entire site was surveyed for protected species, and for the potential for protected species; the survey methodology followed guidance from Natural England's Standing Advice Sheets for the relevant species. Habitat features of interest were also noted. Species looked for included:

Bats: A consistent search effort for evidence of bats was applied to all parts of the site that are due to be impacted by the proposed works. The methodology used to search this site is consistent with the guidelines provided in the Bat Conservation Trusts Bat Survey Guidelines (2016).

Any buildings to be demolished or trees due to be removed were also assessed, as was the surrounding habitat in terms of suitability as bat foraging areas.

Breeding birds: Any habitat features, for example, scrub and trees, which could potentially be used by nesting birds, were surveyed and any nesting activity within the buildings was noted. Ground-nesting bird potential was also considered.

Reptiles: Habitat features that could be suitable as hibernacula or feeding/resting areas were noted.

Badgers: Any area that could be used for feeding or could potentially contain a Badger sett was surveyed and any signs noted.

Otter and Water Vole: Any habitat features that could be used by these species were surveyed for signs of Water Vole and Otter activity and any areas with potential for use by these species was noted.

Dormouse: Any habitat features that could potentially provide feeding or nesting habitat for dormice were checked for signs of this species and areas with potential for use by dormice were noted.

Great Crested Newt: Any habitat features that could be used by this species was noted. This included both terrestrial and aquatic features. Any ponds within 1km of the site must be assessed for its suitability for Great Crested Newts (providing that the landowner has granted access) using the standard Habitat Suitability Index form and method.

Invertebrates: Features of note for protected invertebrates were considered including white-clawed crayfish, stag beetles, southern damselfly, brown and white-letter hairstreak butterflies.

Habitat: All areas of semi-natural habitat were also surveyed, and any features of interest noted. Consideration was also given to the potential of this area to act as a wildlife corridor.

Invertebrate habitat was considered during this assessment including the potential for butterflies, moths and dragonflies. Micro features that are particularly important to invertebrates would be highlighted such as deadwood, the edge of the scrub, damp areas and grassland structure.

If there are any areas of semi-natural habitat present that may be considered as species-rich a plant species list was made of plants apparent at the time of the survey and a 'DAFOR' scale applied to indicate relative abundance. A phase I map showing broad-based habitat types will be produced if there are a mosaic of semi-natural (not landscaped) habitats present.

Legislation relating to these species can be found in Appendix I of this report.

4. Results and Conclusions

4.1 Bats

After having carried out the bat check; the surveyor concluded that the carport and cottage had external bat roosting potential but there was no other roosting potential on the other buildings. This conclusion was reached after having found the following;

- All the buildings within the site were assessed for any bat roosting potential. The showroom, offices and workshop buildings were very unfavourable for roosting bats and had a complete absence of potential bat roosting points, as there were no loft spaces, no roof tiles and no holes noted on the soffits. However, the large carport had slate roof tiles which were loose or missing in areas and the ridge tiles had areas of mortar missing, these features created potential roosts for crevice dwelling bats (photo 1, 2 & 3). The cottage was in poor condition and has been derelict for some time. The loft space within the cottage had no evidence of bat activity but loose areas of bituminous lining were noted. This had the potential to allow access from outside. There were several gaps present under the clay roof tiles and hanging tiles on the rear dormer window of the cottage, that had bat roosting potential (photo 4, 5 & 6).
- The site had the occasional scattered tree, shrub, single species hedgerow and a scrub area at the rear of the cottage. Due to these features being isolated across the site and having no connected with the wider environment, it is unlikely that bats would use the site for foraging and commuting.



Photo 1: The carport within the courtyard area.

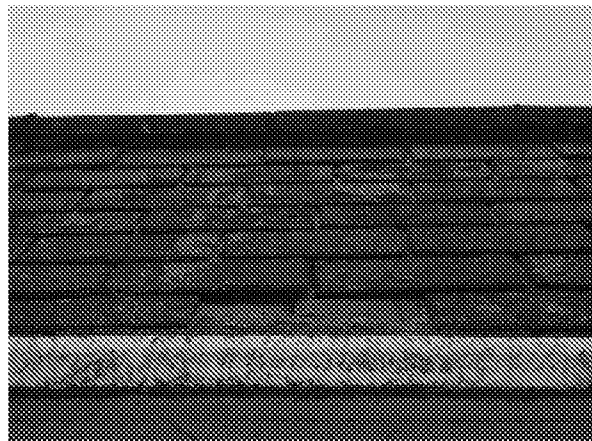


Photo 2: The missing roof tiles on the carport.

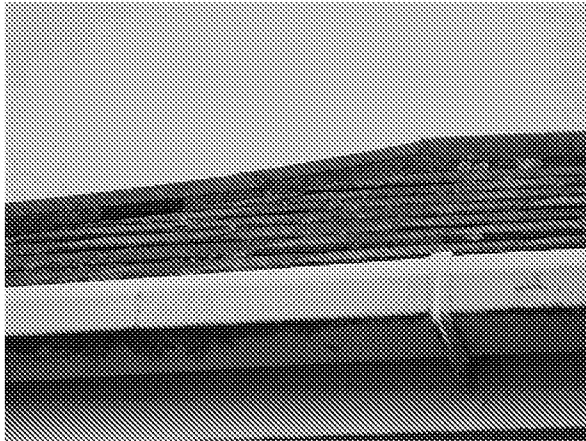


Photo 3: The missing mortar under the ridge tiles on the carport.



Photo 4: The loose bituminous lining in the loft of the cottage.



Photo 5: The cottage with gaps under the tiles.



Photo 6: The dormer window on the cottage with loose hanging tiles.

4.2 Breeding birds

The proposed site was surveyed for breeding birds. The surveyors concluded that there was a medium potential for breeding birds. This conclusion was based on the following:

- The buildings were assessed for breeding birds and no nests were found within the buildings or on the external structures on the day of the survey. However, there was future potential for breeding birds to nest in the outbuilding (photo 7).
- The trees, shrubs and hedgerow scattered along the boundary of the site and the scrub at the rear of the cottage had the potential for breeding birds (photo 7 & 8).



Photo 7: The outbuilding with shrubs growing on top and row of Leyland cypress along the boundary.



Photo 8: The scrub at the rear of the cottage.

4.3 Reptiles

The proposed site was surveyed for its potential for reptiles. The surveyor concluded that the site had no habitat to support reptiles. This conclusion was based on the following:

- The site was predominantly buildings and hardstanding and contained no grassland habitat for reptiles.

4.4 Badgers

The proposed site was surveyed for its potential for badgers. The surveyor concluded that there was no suitable habitat for badgers. This conclusion was based on the following:

- The site consisted of predominantly buildings and hardstanding, offering no habitat for badgers.

4.5 Otter and Water Vole

The proposed site was surveyed for its potential for otters and water voles. The surveyor concluded that the site had no potential habitat. This conclusion was based on the following:

- There was no habitat suitability within the site, due to site consisting of only buildings and hardstanding.

4.6 Dormouse

The proposed site was surveyed for its potential for dormouse. The surveyor concluded that the site had no potential habitat. This conclusion was based on the following:

- There was no habitat suitability within the site, as there were only isolated single species hedgerows surrounded by buildings and hardstanding, with no connectivity to the wider environment.

4.7 Great Crested Newts

The proposed site was surveyed for its potential for Great crested newts. The surveyor concluded that the site had no potential habitat. This conclusion was based on the following:

- There is one pond on the edge of a 500m radius of the site. However, this pond is used regularly for fishing, has poor to moderate water quality and was surrounded by poor terrestrial habitat. Therefore, it is unlikely that great crested newts are present.

- There was no habitat suitability within the site, due to the site being predominantly buildings and hardstanding.

4.8 Protected Invertebrates

The proposed site was had no suitable habitat for protected invertebrates.

4.9 Habitats

The site consisted of buildings and hardstanding with occasional tree, shrubs and single species hedgerow along the boundaries.

An ash tree and Scots pine were growing within the residential property to the North of the access area to the site. Along the Southwest boundary, there was a Monterey cypress tree and two sycamore tree. A group of English elm and a row of Leyland cypress were growing on top of the two retaining walls along the Southeast boundary of the site.

Along the East boundary there were sycamore saplings, goat willow sapling, pittosporum sapling, cordyline, bamboo, rowan sapling and a small cherry laurel hedgerow.

The area at the rear of the cottage had been left unmanaged allowing scrub to grow such as brambles, ivy, blackthorn saplings, sycamore saplings, an ash sapling, an elder tree and a dead fruit tree.

All trees and shrubs are to be retained except for the Monterey cypress tree and the scrub that has grown at the rear of the cottage.

5. Constraints.

There were no significant constraints.

6. Ecological Impact Assessment

6.1 Bats

All bat species and their roosts are legally protected under the Wildlife and Countryside Act (1981) and Conservation of Habitats and Species Regulations (2017). Roosting potential was noted on the roof of the large carport and the cottage. Therefore, further investigations will be required to assess whether bats are using these structures as a roost, in order to adequately mitigate against any impact from the development.

The scattered trees, shrubs, hedgerows and scrub within the site are unlikely to be used by foraging and commuting bats due to being isolated from the wider environment. However, as a precaution, the external lighting used on the site during construction and post-construction should follow a suitable lighting scheme and regime in accordance with Guidance Note 08/18 Bats and Artificial Lighting in the UK. This will avoid any short or long term impact on bats.

6.2 Breeding Birds

There was future potential for breeding birds to nest within the outbuilding, trees, shrubs, hedgerows and scrub on the site. If nesting birds are disturbed this will cause an offence under the Wildlife and Countryside Act (1981). Therefore, as a precaution the outbuilding, trees and scrub must be checked by an ecologist for nesting birds, prior to the start of any demolishing or removal works. Mitigation must be included in proposed development, such as incorporating bird nest bricks within the external wall. This will allow the continuation of breeding birds in the area and avoid any long-term impact.

7. Recommendations

- Further ecological survey work is required on the site prior to development.
- The carport building and cottage had medium bat roosting potential and therefore, will require a minimum of two separate bat activity surveys under The Bat Conservation Trust survey guidelines. One dusk emergence and a separate dawn re-entry survey. One further survey might be required if bat use of the site is not sufficiently clear after two survey visits. The results of these surveys will be used to inform a mitigation scheme for the site. If a bat roost is confirmed and will be impacted on by the development a European Protected species license must be obtained after planning permission is granted and before demolition or other development work begins.
- The outbuilding, Monterey cypress tree and scrub must be checked for nesting birds by a qualified ecologist immediately before any removal works start. This will ensure that no nesting birds are disturbed.
- The trees scattered along the boundary of the site must be protected during the construction phase of the development and must be subject to a Tree Protection Plan. A Root Protection Area must be calculated for each tree in accordance with British Standard BS. 5837:2012. This protection area will be highlighted by a high-visibility tape on a temporary fence. Contractors must be briefed not to drive into these areas or dump any material inside the tree protection area.
- As a precaution for foraging and commuting bats the external lighting during construction and post-construction should follow a suitable lighting scheme and regime in accordance with Guidance Note 08/18 Bats and Artificial Lighting in the UK.
- Once the further survey work is completed an Ecological Impact Assessment report will cover a more detailed plan of the mitigation and enhancement required for the site.

Appendix I

Legislation (summary)

I. Wildlife Protection legislation

Mammals:

Otters, dormice, water voles, and all bat species are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). According to this act it is an offence to:

- Intentionally capture, kill or injure one of these animals
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used by one of these animals for shelter or protection
- Intentionally or recklessly disturb an animal whilst it is using this place
- sell, offer for sale or advertise for one of these animals live or dead

Designated as European Protected Species' **otters, dormice and all bat species** receive additional protection from the Conservation of Habitats and Species Regulations 2010, under Schedule 2 which implements the EC Directive 92/43/EEC in the United Kingdom. In accordance with this act, it is an offence to:

- Deliberately capture or kill a European Protected Species
- Deliberately disturb a European Protected Species
- Damage or destroy the breeding site or resting place of a European Protected Species

The **greater and lesser horseshoe bats, barbastelle and bechstein's bats**, are also listed under Schedule 2 of the Conservation of Habitats and Species Regulations. Areas which support populations of these species can therefore be considered for designation as a Special Areas of Conservation (**SACs**).

Badgers receive protection from the Protection of Badgers Act 1992. According to this act, it is an offence to:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or

- to intentionally or recklessly interfere with a sett.

Reptiles and Amphibians:

Slow worms, adders, grass snake, viviparous lizard, are protected against intentional killing, injuring or sale under section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).

Great crested newt, natterjack toad, sand lizard and smooth snake are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). These species also receive additional protection as **European Protected Species** under schedule 2 of the Conservation of Habitats and Species Regulations 2010, which implements the EC Directive 92/43/EEC in the United Kingdom.

Birds:

Please Note: All breeding birds and their nests are protected under the general protection of Section 1 of the Wildlife and Countryside Act, 1981 as amended. This makes it an offence to disturb breeding birds.

2. Conserving and enhancing the Natural Environment. Section 15, NPPF updated February 2019

The National Planning Framework was re-issued in July 2018 and updated in February 2019. Key points relevant to the Natural Environment are given below.

8. Re: Sustainable development. The NPPF recognizes “that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

These are the **economic objective**, the **social objective**, and the **environmental objective**; the full text of paragraph c) relating to this third objective reads as follows:

“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

175. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

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

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

Footnote 56 also notes that Circular 06/2005 (**Biodiversity and Geological Conservation - statutory obligations and their impact within the planning system, Part IV Conservation**