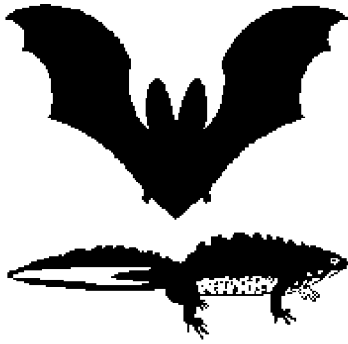




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# **Protected Species Walkover Survey**

## **Land at Ockley Road**

### **Bognor Regis West Sussex**

**Stephanie Murphy  
June 2012**

Registered Office: Butlers House, North Street, Petworth, West Sussex, GU28 0DP  
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## Summary

- The site was surveyed on the 8<sup>th</sup> June 2012 by a qualified ecologist Dr Stephanie Murphy, BSc (Hons), MSc, PhD, MIEEM to assess for the potential presence of any protected species and identify habitats of conservation importance. This report gives details of the results of a protected species walkover survey carried out on land proposed for development situated on Ockley Road, Bognor Regis, West Sussex.
- No evidence of Badgers (*Meles meles*) such as setts or evidence of foraging, was found within the site boundary (or within 30 metres of the site boundary) and, therefore, no further Badger surveys are required.
- There was no evidence of bats roosting in the buildings within the site boundary and the buildings were considered to have no bat roosting potential. No further bat surveys are considered necessary.
- There is potential for breeding birds to occur within the site boundary. The ivy on the car mechanic repair shop has potential for nesting birds, such as House Sparrows (*Passer domesticus*) and Wrens (*Troglodytes troglodytes*), and the flat roofs of the buildings have potential for Herring Gull's (*Larus argentatus*), which were noted nesting on adjacent properties (not within the site boundary). If any work involving the clearance of vegetation or demolition of buildings were scheduled to take place between the beginning of March and the end of August, a survey to check for nesting birds would be required. No vegetation can be cleared or building(s) demolished whilst a nest is occupied.
- There is no potential habitat for biodiversity action plan species (such as Hedgehogs) and further surveys are not considered necessary.
- There are no suitable water-bodies within the proposed development site boundary, no suitable terrestrial habitat present and no suitable water-bodies within 500 metres of the site boundary. Great Crested Newts do not represent a constraint to the proposed development and further surveys are not considered necessary.
- There is no habitat suitable for reptiles within the proposed application site as the majority of the area comprises buildings and hard-standing with intermittent ruderal vegetation. Further surveys for reptiles are not deemed necessary.

This report has been prepared by AEWC Limited, with all reasonable skill, care and diligence within the terms of the Contract with the client.

We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above.

This report is confidential to the client and we accept no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

## 1 Introduction

- 1.1 This survey comprised of an ecological walkover survey for all protected wildlife and species of conservation importance, including habitats, and was carried out by a qualified ecologist Dr Stephanie Murphy, BSc (Hons), MSc, PhD MIEEM.
- 1.2 The objective of the survey was to identify the potential presence of any protected species under the Wildlife and Countryside Act (1982) and European Protected Species and habitats of conservation importance.
- 1.3 This report gives details of the results of a protected species walkover survey carried out at 8<sup>th</sup> June 2012.
- 1.4 This survey and report was carried out and produced at the request of Jeremy Farrelly on behalf of his client.

## 2 Background

- 2.1 The site consists of an area of land, currently occupied as business premises, situated in the centre of the town of Bognor Regis at OS grid reference SU 93172 99186. The location of the site is shown in Figure 2.1. The extent of the site is shown in Figure 2.2.

**Figure 2.1:** Site location as indicated by the red marker.



**Figure 2.2:** Aerial photograph of proposed development site boundary. The red line indicates the extent of the site. © Google (2012).



- 2.2 The site is bounded by residential properties on Gainsboro Road to the north, residential properties on Southdown Road to the west, and Ockley Road to the south and east.
- 2.3 The site is accessed off Ockley Road and comprises of a number of industrial units used as business premises for car sales, shown in Photograph 2.1, a car mechanical workshops, shown in Photograph 2.2.
- 2.4 The site is comprised predominately of hard standing with intermittent ruderal vegetation such as Common sorrel (*Rumex acetosa*) Buddleia spp. and Broad leaved Dock (*Rumex obtusifolius*) encroaching through cracks in the ground. The southern boundary of the site comprised of a chain-link encroached with ivy (*Hedra helix*) and corrugated metal fence. The northern and eastern site boundary comprised of a brick wall.
- 2.5 No specific development plans were provided by the client.

**Photograph 2.1:** Buildings utilised as car sales offices along the western site boundary, Land off Ockley Road, Bognor Regis.



**Photograph 2.2:** Buildings utilised as mechanical workshops along the northern site boundary, Land off Ockley Road, Bognor Regis.



### 3 Methods

- 3.1 An ecological walkover assessment was carried out on 8<sup>th</sup> June 2012 to evaluate the site for its potential to support protected species, in addition to other species of conservation importance that could be relevant in respect of planning policies.
- 3.2 Taking into consideration the geographical region and habitat type, species that could be encountered are:
  - Badgers;
  - Bats;
  - Biodiversity Action Plan Species (e.g. Hedgehog);
  - Breeding Birds;
  - Great Crested Newt;
  - Reptiles.
- 3.3 In addition, observations of any important plant communities or other valuable ecological features will have been recorded and detailed. Details of initial survey method for each species are given below.
- 3.4 Badger - An initial assessment was carried out to identify areas that might be used by Badgers (*Meles meles*). Signs of Badgers including setts, incidental foraging signs, runs and latrines, are recorded if encountered during the survey.
- 3.5 Bats – The buildings were examined internally and externally to assess for potential for roosting bats and look for evidence, such as droppings. There are no trees within the site boundary.
- 3.6 Biodiversity Action Plan Species – The habitats present on site were assessed for the likelihood of presence for species of regional and national importance.
- 3.7 Breeding Birds - Habitats were assessed for their suitability for nesting birds. This could include species that utilise buildings, mature trees and scrub or birds that favour ground nesting habitat.
- 3.8 Great Crested Newt - Initial surveys centre on identifying suitable habitat. If there are Great Crested Newt breeding ponds within 500 metres (that are not isolated from the site by unsuitable habitat or physical barriers), the species could potentially be using terrestrial habitat on the site.
- 3.9 Reptiles - The site was assessed for reptiles, with particular attention paid to those features that provide suitable basking areas (e.g. south-facing slopes), hibernation sites (e.g. banks, walls, piles of rotting vegetation) and opportunities for foraging (rough grassland and scrub).

## 4 Results

- 4.1 Badger – No evidence of Badger sett building activity was found or evidence of foraging within the proposed development site boundary.
- 4.2 Bats – The buildings were assessed internally and externally for evidence of bats. The single storey buildings used as office are brick built structures with a flat asphalt roof, providing limited roosting opportunities. The interior of the building was in a poor state of disrepair with collapsed false ceilings. No evidence of bats was found internally or externally within the buildings. The mechanical workshops comprised of a double unit with a single storey lean-to situated at the east. The building is partially brick built with corrugated metal side panels. The eastern aspect was covered in ivy. No evidence of bats was found internally or externally.
- 4.3 Biodiversity Action Plan Species - There is no potential habitat for biodiversity action plan species (such as Hedgehogs) and further surveys are not considered necessary.
- 4.4 Breeding Birds - There is potential for breeding birds to occur within the site boundary. The ivy on the car mechanic repair shop has potential for nesting birds, such as House Sparrows (*Passer domesticus*) and Wrens (*Troglodytes troglodytes*), and the flat roofs of the buildings have potential for Herring Gull's (*Larus argentatus*), which were noted nesting on adjacent properties (not within the site boundary).
- 4.5 There are no suitable water-bodies within the proposed development site boundary, no suitable terrestrial habitat present and no suitable water-bodies within 500 metres of the site boundary.
- 4.6 There is no habitat suitable for reptiles within the proposed application site as the majority of the area comprises buildings and hard-standing with intermittent ruderal vegetation.

## 5 Constraints/Limitations

- 5.1 An initial site assessment such as this is only able to act like a 'snapshot' to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey, but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.

## 6 Conclusions & Recommendations

- 6.1 The site, overall, was considered to be of low ecological value but does offer some nesting bird potential. The re-development of the site does provide opportunities for biodiversity enhancement. AEWCLtd is happy to provide further advice on this aspect if necessary.
- 6.2 Badger – No evidence of Badgers, such as setts or evidence of foraging, was found within the site boundary and, therefore, no further Badger surveys are required.
- 6.3 Bats – There are no buildings or trees within the proposed development site boundary with potential to support roosting bats and no further bat surveys are considered necessary.
- 6.4 Birds - Although it is possible that there may be some UKBAP/BoCC red/amber list species within and around the site, populations are likely to be small and long-term impacts would not be significant. Therefore, further survey of breeding birds is not considered necessary. If any work involving clearance of vegetation were scheduled to take place between the beginning of March and the end of August, a survey to check for nesting birds would be required. This applies to buildings and ground vegetation. No vegetation can be cleared or building(s) demolished whilst a nest is occupied.
- 6.5 Biodiversity Action Plan Species (BAP) – There is limited potential for BAP species to occur on site and no further surveys are necessary.
- 6.6 Great Crested Newts – There site has limited potential to support Great Crested Newts breeding and the foraging, for the reasons outlined above. Therefore, no further surveys are considered necessary for this species.
- 6.7 Reptiles – There is no potential habitat to support a reptile population and reptiles are not considered to be a constraint to the proposed development.

## Appendix – legal protection

### General

This section briefly describes the legal protection afforded to protected species. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation, but summarises the salient points.

### Badger

Badger is protected in Britain under the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended).

The legislation affords protection to Badger and Badger setts, and makes it a criminal offence to:

wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or to attempt to do so;  
interfere with a sett by damaging or destroying it;  
to obstruct access to, or any entrance of, a Badger sett; or  
to disturb a Badger when it is occupying a sett.

### Dormouse and Great Crested Newt

Dormouse (*Muscardinus avellanarius*), Great Crested Newt (*Triturus cristatus*), and all species of British bat (*Vespertilionidae* and *Rhinolophidae*) are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. These species are also all listed as European Protected Species on *Schedule 2* of the *Conservation (Natural Habitats, etc.) Regulations 2010* which gives them full protection under *Regulation 39*. Protection was extended by the *Countryside and Rights of Way Act 2000* (the CROW Act). Under the above legislation it is an offence to:

- kill, injure or take an individual;
- possess any part of an individual either alive or dead;
- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by these species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb these species whilst using any place of shelter or protection; or
- sell or attempt to sell any individual.

It is also an offence to set and use articles capable of catching, injuring or killing bats (for example a trap or poison), or knowingly cause or permit such an action. In the case of Dormouse and all species of British bat there is also protection under *Schedule 6* of *The Wildlife and Countryside Act 1981* (as amended) relating specifically to trapping and direct pursuit of these species.

Dormouse, Great Crested Newt and all species of British bat are included as priority species in the *UK Biodiversity Action Plan* and as species of principal importance for the conservation of biological diversity in England under *Section 74* of the *Countryside and Rights of Way (CROW) Act 2000*.

#### Reptiles

Common Lizard (*Lacerta vivipara*), Grass Snake (*Natrix natrix*), Slow-worm (*Anguis fragilis*), and Adder (*Vipera berus*) are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the legislation it is an offence to:

- intentionally or deliberately kill or injure any individual of these species; or
- sell or attempt to sell any part of these species either alive or dead.

#### Nesting Birds

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). Protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the above legislation it is an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

Certain species are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)*. The protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. There are special penalties where the offences listed above are committed for any *Schedule 1* species and it is also an offence to intentionally or recklessly:

- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or
- disturb the dependant young of any such bird.