

ecological support,
management and solutions



2 – 4 Waterloo Square

Phase I Ecological Survey

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1.0 INTRODUCTION

1.1 Brief

ecosupport Ltd was commissioned by Mr R Brooks of B5 Ltd to conduct a Phase I Survey of the 2 – 4 Waterloo Square site. This survey was required to identify any ecological impacts that may arise from the proposed imminent demolition of the remaining building. It does not take into account any subsequent development or usage of the site.

This survey takes no account of seasonal variation and fluctuations in the presence of any species noted that might take up residence following this report. Lack of signs of a particular species does not confirm its absence, merely that there was no indication of its presence during the time of survey.

Data contained within this report will be valid for 24 months, after which the advice of a Suitably Qualified Ecologist must be sought as surveys may require updating if the proposed works have not been undertaken.

1.2 Aim

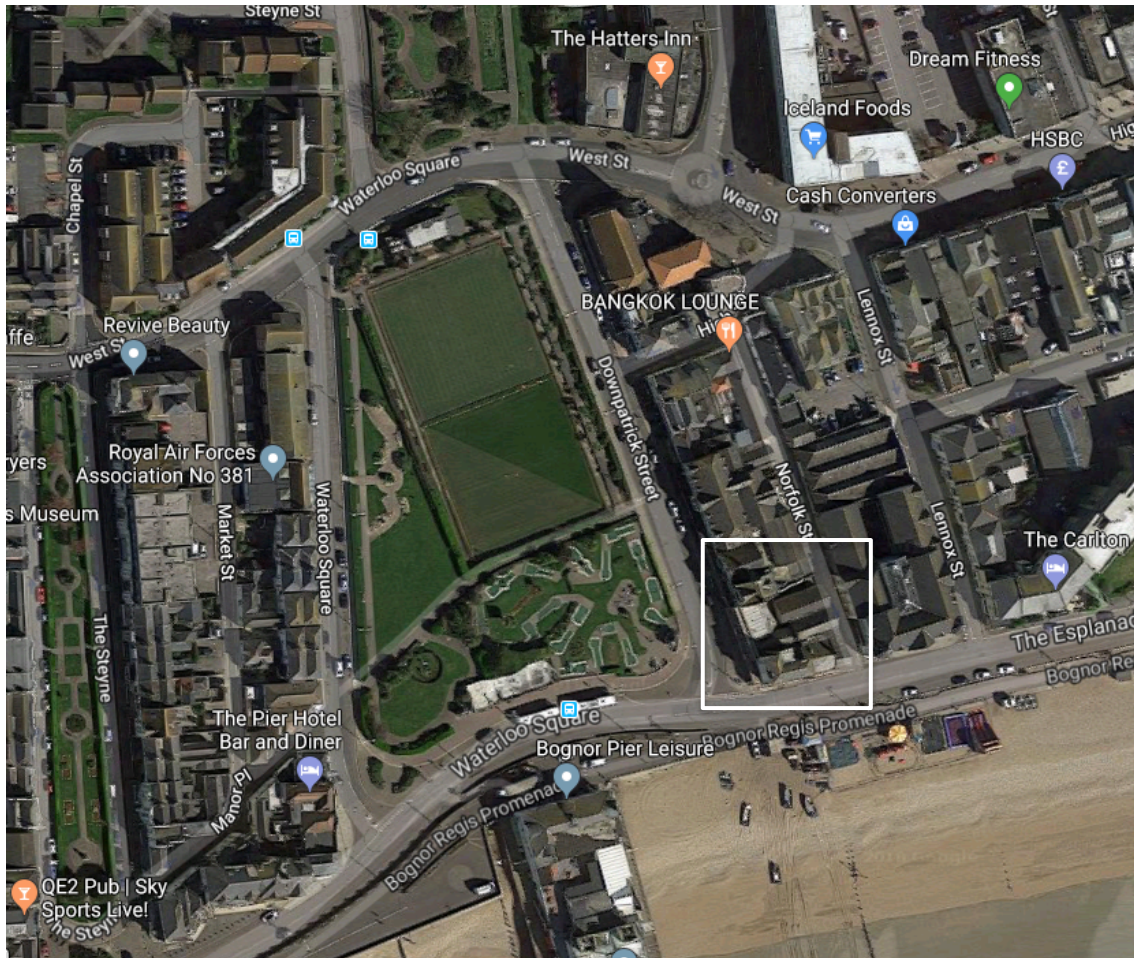
A Phase I Habitat Survey is the first step in assessing the potential ecological effects (or lack of) of a proposed development, and determines whether or not (and which) Phase II Protected Species Surveys are required. The objectives of this survey were as follows:

- Identify current land use and distribution of broad habitat types including plant communities of ecological importance
- Identify and classify any priority habitats
- Assess the ecological value of the site
- Identify any signs of protected species and potential features that may support them
- Identify all relevant legislation and policy
- Make recommendations for further survey work as appropriate
- Make recommendations for appropriate enhancements

1.3 Site Location

The site is located on Waterloo Square, Bognor, PO211SU (**Figure 1**) (Grid Reference SZ 93495 98876). The site is bound to the north by a neighbouring property. Downpatrick Street and Norfolk Street run along the western and eastern boundaries respectively with The Esplanade to the south, separating the site from the promenade and beach. The surrounding area to the north is highly developed, dominated by residential and commercial development. The coastline and the Solent then lie to the south.

Figure 1. Location of the site (Google Maps, 2018).



1.4 Proposals

The building has been classified as a dangerous structure and is considered to pose a significant threat. As a result it will need to be demolished as quickly as possible.

2.0 LEGISLATION & POLICY

One of the aims of this report is to demonstrate that the activities on site comply with relevant Planning Policy and nature conservation legislation. This section details the policy and legislation with which the development would need to comply.

2.1 Legislation

2.1.1 The Conservation of Habitats and Species Regulations (2017)

The Conservation of Habitats and Species Regulations (2017) transposes the EU Habitats Directive (Council Directive 92/43/EEC) into UK domestic law. It provides protection for sites and species deemed to be of conservation importance across Europe. It is an offence to deliberately capture, kill or injure species listed in Schedule 2 or to damage or destroy their breeding sites or shelter. It is also illegal to deliberately disturb these species in such a way that is likely to significantly impact on the local distribution or abundance or affect their ability to survive, breed and rear or nurture their young.

2.1.2 The Wildlife and Countryside Act (1981) (as amended)

The Wildlife and Countryside Act (1991) (as amended) is the primary piece of legislation by which biodiversity is protected within the UK. Protected fauna and flora are listed under Schedules 1, 5 and 8 of the Act. They include all species of bats, making it an offence to intentionally or recklessly disturb any bat whilst it is occupying a roost to intentionally or recklessly obstruct access to a bat roost. Barn Owls are also protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to kill, injure or take a wild barn owl and take or destroy their eggs. It is also illegal to disturb or check a nest site during the breeding months of April to October.

2.2 Policy

The development would seek to comply with relevant Planning Policy at a local, regional and national level.

2.2.1 National Planning Policy and Framework (2012)

This sets out the Government's vision for biodiversity in England. It states that the planning system should maintain, enhance, restore or add to biodiversity and geological conservation interests. Key principles of the framework include the creation, protection, enhancement and management of networks of biodiversity, the preservation, restoration and recreation of priority habitats and ecological networks and the recovery of priority species populations, including sections on legally protected species.

2.2.2 Arun Local Plan 2011-2031 Adopted July 2018

Arun District Council will encourage and promote the preservation, restoration and enhancement of biodiversity and the natural environment through the development process and particularly through policies for the protection of both designated and non-designated sites. Where possible it shall also promote the creation of new areas for habitats and species. In relation to designated sites, development will be permitted where it protects these sites and the species and habitats contained within them.

Proposed development likely to have an adverse effect on land with the designated features of any Site of Biodiversity or Geological Importance as designated in the Arun Local Plan or any subsequently designated sites (either individually or in combination with other developments), will not normally be permitted. Development on wildlife sites with the highest value will only be permitted exceptionally where the following can be demonstrated:

- There is no alternative solution (which shall be adequately demonstrated by the developer).
- There are reasons of public health or public safety or
- There are benefits of primary importance to the environment or iv. There are imperative reasons of overriding public interest.

Aside from the above however, the presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined. In determining any planning application affecting Sites of Biodiversity or Geological Importance the Council will ensure that the intrinsic natural features of particular interest are safeguarded or enhanced having regard to;

- The European, National or Local status and designation of the site;
- The nature and quality of the site's features, including its rarity value;
- The extent of any adverse impacts on the notified features of interest;
- The need for compensatory measures in order to re-create remaining features of habitats on or off the site.

Where appropriate the Council will ensure the effective management of designated sites through the imposition of planning conditions or Section 106 agreements as appropriate.

Policy ENV DM2 states the varying level of protection afforded to Pagham Harbour when considering development;

Within Zone A (0-400m from the boundary) as identified on the Policies Maps, development will only be permitted in exceptional circumstances where the developer

is able to demonstrate there will be no detrimental effects on Pagham Harbour, including non-native species and the water environment. Regard shall also be had to tests 1-4 as set out in Policy DM1 (Designated Sites of Biodiversity or Geological Importance).

Within Zone B (0-5km) for all new residential development and development which is likely to have an impact on Pagham Harbour will be required to:

- Make developer contributions towards the agreed strategic approach to access management at Pagham Harbour.
- create easily accessible new green spaces for recreation within or adjacent to the development site. These shall be capable of accommodating the predicted increases in demand for local walking, including dog walking. Good pedestrian links shall be provided between housing areas and new and existing green space in order to discourage car use.

Major developments (as defined in the GDPO 1995 as amended) taking place outside Zone B and close to its boundary will be considered on a case by case basis to determine any potential effects on Pagham Harbour, and the need for any avoidance or mitigation measures.

Policy ENV DM3 states that any development will retain and incorporate important ecological habitats, wildlife corridors and stepping stones as well as be designed to minimise any disturbance to these habitats. Developments that fail to do so will have their proposal rejected. Where a development scheme would result in a habitat loss, mitigation measures will be proposed as part of the proposed scheme and such measures agreed with the Local Planning Authority prior to the determination of any planning application. Within Biodiversity Opportunity Areas (BOAs) identified within the local plan or where likely to have an impact on species or habitats within the BOAs, any application for planning permission shall include a properly conducted survey of the presence of that species and habitat and impact(s) that development may have on the BOA.

Development and biodiversity Development schemes shall, in the first instance, seek to achieve a net gain in biodiversity and protect existing habitats on site. They shall also however incorporate elements of biodiversity including green walls, roofs, bat and bird boxes as well as landscape features minimising adverse impacts on existing habitats (whether designated or not). Development schemes shall also be appropriately designed to facilitate the emergence of new habitats through the creation of links between habitat areas and open spaces. Together, these provide a network of green spaces which serve to reconnect isolated sites and facilitate species movement. Where there is evidence of a protected species on a proposed

development site, planning applications shall include a detailed survey of the subject species, with details of measures to be incorporated into the development scheme to avoid loss of the species. This involves consideration of any impacts that will affect the species directly or indirectly, whether within the application site or in an area outside of the site, which may be indirectly affected by the proposals. All surveys shall be carried out at an appropriate time of year and shall be undertaken by a qualified and, where appropriate, suitably licensed person. All developments shall have regard to Natural England's standing advice for protected species.

3.0 METHODOLOGY

3.1 Phase I Habitat Survey

The initial walk over survey was carried out by Tristanna Boxall BSc (Hons) (Natural England Class Level 2 Bat and Class Level 1 Great Crested Newt License Holder) of ecosupport Ltd on the 25th July 2018. This incorporated a visual assessment of the site and the surrounding landscape, loosely following the methodology outlined within the Joint Nature Conservation Committees (JNCC) *Phase I habitat survey handbook* (2003). The habitats present were noted, focusing particularly on their potential to support protected species.

3.2 Assessment of Building to Support Roosting Bats

An assessment of the building was undertaken to determine the likelihood of roosting bats being present. The externals were examined, using 8 x 42 Avian Trekker binoculars and a high-powered torch, for any suitable features which bats may use to enter the internals or an external roost and also to search for signs of (i.e. droppings, feeding remains) and/or bats themselves. The survey was carried out in accordance with *Bat Surveys for Professional Ecologists; Good Practice Guidelines* 3rd edition published by the Bat Conservation Trust (Collins, 2016).

4.0 RESULTS

4.1 Phase I Habitat Survey

The site is dominated by hard standing (**Figure 2**) following on from the demolition of the building the previously occupied the site which was destroyed by fire. Some ruderal vegetation has managed to establish.

Figure 2. Southern section of the site.



The key feature on site is the remaining building. It is divided into sections with differing construction types (please see **Appendix** for photographs). All areas are considered to be in a poor state of repair with high numbers of Pigeons recorded throughout the site.

4.2 Assessment of Building to Support Roosting Bats

Despite the property being considered to be in a relatively poor state of repair (i.e. broken windows) it is considered there are limited opportunities for roosting bats. For example, the roof was found to be well sealed with tiles intact and closely fitted together. The presence of asbestos slate style tiles, when in good condition, reduces the likelihood of bats gaining access between the tiles due to their flat nature. Similarly vertical tiles on the dormer window were all found to be intact with no gaps noted. Some gaps were noted between wooden fascia and also where bitumen roofing felt, on flat roof sections, folded over however these were found to be either blocked by cobwebs or superficial thus making the crevice highly exposed to the elements and

light. Some significant gaps were recorded, owing to rotten soffits, however without exception all were occupied by Pigeons. The only feature considered to have potential to support roosting bats was the hanging tiles on the southern gable end. A low number of tiles were broken and/or missing. It is considered the location of the site, not only in a highly developed setting with high light pollution and minimal habitat for commuting and/or foraging but also directly facing the seafront thus exposing the hanging tiles to extreme weather conditions including high winds, reduces the likelihood of roosting bats being present.

4.3 Limitations

This survey does not constitute a full site assessment for invasive species, such as Japanese Knotweed (*Fallopia japonica*), but no such species were found during the time on site. It was not possible to gain access into the internals of the building to undertake a search for evidence of roosting bats however as the majority of the loft space have been converted into living accommodation there are limited opportunities for bats to roost internally and also a lack of opportunities on the roof itself for bats to access these areas. Therefore this is not considered to be a significant limitation.

5.0 EVALUATION

5.1 Phase I Survey

The hardstanding element of the site is considered to be of negligible ecological value. Although some ruderal vegetation has established, the species noted are common and widespread and of negligible ecological value.

The building does support high levels of nesting and roosting Pigeons however it is considered unlikely to support further protected species.

5.2 Assessment of Building to Support Roosting Bats

No evidence of bats was recorded during the Phase I Assessment. It is considered unlikely bats would roost internally due to limited opportunities to gain access. Despite the presence of significant gaps along the soffits, it is considered unlikely bats would gain access due to the presence of numerous active and historic nests. The only feature considered to have potential for roosting bats was the southern hanging tiles however as outlined above, it is considered the situation of the site and this feature in particular, reduces the likelihood of bats being present.

6.0 FURTHER RECOMMENDATIONS

6.1 Nesting Birds

All birds, their nests and eggs are protected under the Wildlife & Countryside Act (1981) and it is thus an offence, with certain exceptions to intentionally kill, injure or take any wild bird. Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built. If possible demolition should take place between September – February however if this is not possible pest control (with the appropriate licenses) could undertake works with regard to the presence of Pigeon.

6.2 Bats

Although the Phase I survey did not identify any evidence of bats, and concluded it was unlikely they were present, due to their transient use of roosts and opportunistic exploitation of features suitable to support roosts, there is a possibility that bats may take up residence after the Phase I survey. If prior to, or during works, a bat is found a suitably experienced ecologist should be consulted immediately.

7.0 CONCLUSION

In general the site is considered to be of limited ecological value. With regard to nesting birds, mitigation in the form of timing recommendations have been specified.

8.0 REFERENCES

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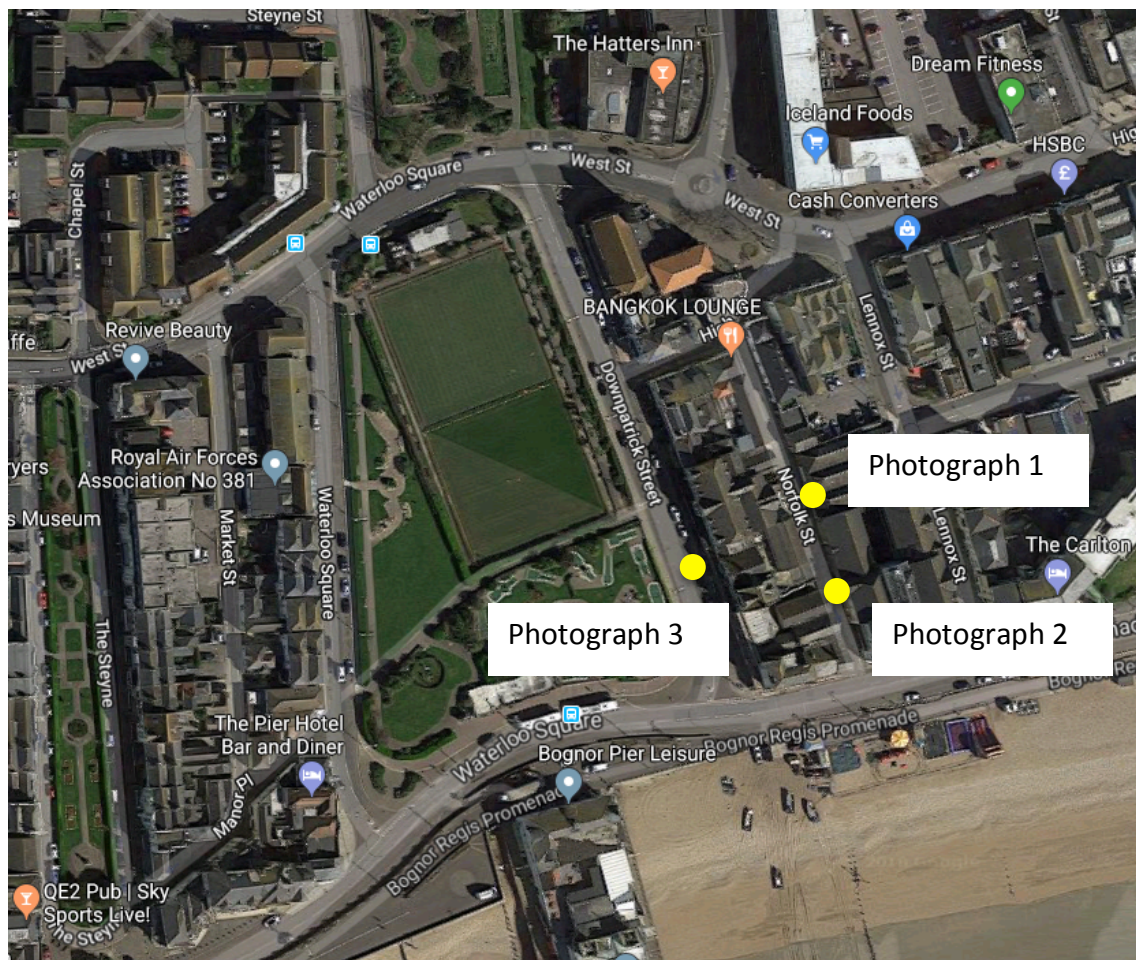
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APPENDIX I – Photographs of Site.



Ecosupport Ltd., Office A1, Knowle Village Business Park, Mayles Lane, Knowle PO17 5DY

Rear view of roof:



Southern gable hanging tiles:



Ecosupport Ltd., Office A1, Knowle Village Business Park, Mayles Lane, Knowle PO17 5DY