

**BROADMARK LANE AND VERNON CLOSE, RUSTINGTON, LITTLEHAMPTON,
WEST SUSSEX**

PHASE 1 ECOLOGICAL SURVEY

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Invertebrate, Bird, Mammal, Reptile, Amphibian and Botanical Surveys
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Appendix 1 Protected Species Legislation

EXECUTIVE SUMMARY

- A Phase 1 ecological survey was undertaken on 21st July 2010 at three residential properties: Nos. 2 and 4 Broadmark Lane and No.18 Vernon Close, Rustington, Littlehampton, West Sussex. The properties are subject to a planning application for the replacement of the existing dwellings.
- The Phase 1 ecological survey involved a desk-based study and field survey to assess the potential for protected habitats and species to be present at the three properties.
- The three properties comprise detached residential bungalows dating to the mid-to-late 20th century with associated front and rear gardens. Two of the properties contain small detached garage buildings.
- All three sites contain minimal areas of vegetation, comprising entirely mown grass lawns and associated ornamental plantings.
- None of the three site contained any evidence of protected species and are considered to offer negligible potential for supporting badger, roosting bats, dormouse, reptiles and great crested newt.
- The limited amount of ornamental vegetation within the front and rear gardens offers low potential for supporting small numbers of nesting birds.
- It is recommended that the proposed development of the site can proceed with no impact to protected species with the exception of vegetation removal which, due to the potential presence of nesting birds, should be undertaken outside of the main bird breeding season.

1.0 INTRODUCTION

1.1 Background

Ecological Survey & Assessment Limited (ECOSA) have been contracted by Ormond Limited to undertake a Phase 1 ecological survey on three adjacent properties situated in Broadmark Lane and Vernon Close, Rustington, Littlehampton, West Sussex. The three properties comprise Numbers 2 and 4 Broadmark Lane and Number 18 Vernon Close and are centred on National Grid Reference (NGR) TQ 053 021.

This report presents the findings of the desk-based study and Phase 1 ecological survey carried out by ECOSA on 21st July 2010.

1.2 Aims and Scope of Report

This report is based on a desk-based study and Phase 1 field survey which are primarily aimed at determining the suitability of the site to support protected habitats and species. This information allows an initial assessment of the biodiversity value of the site to be made.

1.3 Site Setting and Description

Broadmark Lane and Vernon Close are situated in Rustington, a suburb of Littlehampton, West Sussex. The site is situated approximately 2.5 kilometres (km) due east of Littlehampton town centre. The three properties are situated immediately north and east of the junction of Broadmark Lane and Vernon Close.

The surrounding landscape is very densely-developed, containing a mix of residential and commercial properties. The English Channel coastline lies approximately 0.75km due south.

1.4 Site Proposals

The proposals for the site are unknown at present but will entail the demolition of the three existing residential dwellings and their replacement with a new development of apartments. The proposals will entail the removal or alteration of the existing gardens.

2.0 METHODS

2.1 Introduction

This section details the methods used during the Phase 1 field survey carried out at Broadmark Lane and Vernon Close, Rustington, Littlehampton, West Sussex.

2.2 Desk-Based Survey Methods

The National Biodiversity Network (NBN)¹ Gateway and the Multi-Agency Geographic Information for the Countryside (MAGIC)² databases were accessed on 20th July 2010 to identify records of protected species and/or nature conservation designations located within a 1 kilometre (km) radius of the site.

2.3 Phase 1 Ecological Field Survey Methods

The Phase 1 ecological survey was carried out on 21st July 2010. The survey involved a walkover of the site, comprising the three properties, to identify the habitat types present and to record evidence of, or the potential for the site to support, protected species such as badger *Meles meles*, dormouse *Muscardinus avellanarius*, bats, breeding and wintering birds, reptiles and great-crested newt *Triturus cristatus*. Details of the species-specific survey methods are given below.

2.3.1 Vegetation

An assessment was made of all areas of vegetation within the site. This involved a walkover survey to identify broad vegetation types and a list of characteristic plant species was compiled.

2.3.2 Badger

The survey involved a detailed investigation of the site to identify evidence of badger residence, foraging or territorial activity. Particular emphasis was placed on locating badger setts, paths, and signs of territorial activity such as latrine sites.

2.3.3 Bats

All buildings within the site were investigated externally to identify potential bat access/egress locations and roosting areas such as gaps or holes in roof tiles, fascias and soffits and to record direct evidence of bat presence such as droppings and urine staining. A detailed investigation of all accessible roof voids and similar spaces was carried out to record roosting bats and evidence of bat roosting activity such as live animals, corpses, droppings, feeding remains, urine staining and fur staining. All

¹ <http://www.nbn.org.uk>

² <http://www.magic.gov.uk/>

buildings were assessed as to their suitability for supporting roosting bats. The survey conformed to current Bat Conservation Trust guidelines³.

An assessment was made of the suitability of trees on the site to support roosting bats based on the presence of features such as holes, cracks, splits, loose bark and a covering of ivy.

2.3.4 Dormouse

The dormouse survey was based on an assessment of habitat features that may indicate that dormice are present on site. This includes the presence of food sources such as common hazel *Corylus avellana* and honeysuckle *Lonicera periclymenum*. Additionally, the species requires a continuum of food supply so that habitat structure, diversity and connectivity to adjacent areas of woodland/scrub are important features for determining the potential presence of dormice.

2.3.5 Breeding Birds

The assessment of breeding birds on the site was based on the suitability of habitat present, evidence of nesting such as old or currently active nests and the presence of bird species that may potentially nest within the available habitat.

2.3.6 Reptiles

The reptile survey was based on an assessment of the suitability of habitat present within the site to support a population of common reptiles. Reptiles particularly favour scrub and grassland interfaces and the presence of these is a good indication that reptiles may be present on site. In addition, reptiles may utilise features such as bare ground for basking, tussocky grassland for shelter and compost heaps and rubble piles for breeding and/or hibernating.

2.3.7 Great-crested Newt

The great-crested newt survey was based on an assessment of the presence of suitable aquatic habitats such as ponds within or adjacent to the site and the presence of suitable terrestrial habitat. Ponds that are densely shaded, highly eutrophic or that contain fish are likely to be less suitable for this species. In addition, online mapping resources were used to identify the presence of ponds or other waterbodies within a 500 metre (m) radius of the site: 500m is a standardised search radius to assist in the assessment of the potential of a site and its surrounding habitat to support this species, based on current Natural England guidance. The search radius recommended by the Local Planning Authority is 200m.

³ Bat Conservation Trust (2007). *Bat Surveys: Good Practice Guidelines*. Bat Conservation Trust, London

2.4 Initial Protected Species Assessment

Details of the assessment criteria used to determine the ecological value of on-site attributes is outlined below. During the Phase 1 survey the assessment criteria is based on the potential for the site to support the species considered, this is usually based on the on-site habitat features and their suitability for the species considered (Paragraph 2.4.1 and 2.4.2). Where a species has been confirmed as present during the Phase 1 survey then the ecological value of that species at the site is assessed (Paragraph 2.4.3). However, in many cases Phase 2 surveys will be required to assess the status of species and hence the importance of a population at the site, therefore the assessment of value should be considered a provisional assessment.

2.4.1 Bats – Buildings Assessment

An assessment was made of all buildings within the site. Each building has been graded for its potential to support bats based upon the following criteria:

- **High Potential** - High potential buildings are those that have many features that may be utilised by roosting bats, often these include gaps around soffits, hanging tiles, extensive roof spaces etc. High potential buildings are often, but not always, buildings of more historic construction. Bats are confirmed as present. Buildings where bat roosts are more significant, either frequently used or utilised for breeding or hibernation, are classified as being of high bat interest.
- **Medium Potential** – Medium potential buildings have a moderate number of features that may be utilised by bats for roosting, these may include loose fascias, roof spaces etc. Generally, medium potential buildings are of more recent construction. Evidence of bats may be present; however, field signs would indicate that these are low status roosts (such roosts are still protected under current legislation (see **Appendix 1**)).
- **Low Potential** – Low potential buildings are those that provide limited bat roosting potential although some features that may be utilised by bats may be present.
- **No/Negligible Potential** – Negligible potential buildings are those that provide very few, superficial features with bat roosting potential and for which further survey works are considered unnecessary. Some buildings, especially those of modern construction, offer no suitable features and are classed as having no potential.

2.4.2 Bats - Tree Assessment

The trees on site were graded for their importance to bats using the following criteria:

- **High Potential** - High potential trees have loose bark, splits and deep/extensive holes suitable for roosting bats.
- **Medium Potential** - Medium potential trees have some interest for roosting bats such as broken snags, some flaking bark, a covering of ivy or shallow holes.
- **Low Potential** - Low potential trees have some, although generally limited potential to support roosting bats.
- **Negligible Potential** - Negligible potential trees are those that provide few or no features with bat roosting potential. Generally these trees are immature specimens.

2.4.3 Badger, Dormouse, Breeding Birds, Reptiles and Great-crested Newt

The potential for the site to support protected species is based on the results of the field survey assessment. The potential for on-site habitat to support badger, dormouse, breeding birds, reptiles and great-crested newt is based upon the following criteria:

- **High Potential** - Species confirmed as present during the field survey. The on-site habitat is of high quality for a given species/species group. The site is located within or adjacent to a national or regional stronghold. Good quality surrounding habitat and good connectivity.
- **Medium Potential** - The on-site habitat is of moderate quality, providing most or all of the known key requirements of a given species/species group. Factors limiting the potential of occurrence may include small habitat area, habitat severance and disturbance.
- **Low Potential** - On-site habitat is of poor to moderate quality for a given species/species group. The presence cannot be discounted on the basis of national distribution, nature of surrounding habitats, habitat fragmentation, recent on site disturbance etc.

- **Negligible Potential** - Although presence cannot be absolutely discounted, the site includes very limited or poor quality habitat for a particular species/species group. The surrounding habitat is considered unlikely to support wider populations of a species/species group. The site may also be outside or peripheral to known the national range for a species.

2.5 Phase 1 Survey Timing and Weather Conditions

The Phase 1 ecological survey was carried out by a suitably experienced ECOSA surveyor on 21st July 2010. The weather conditions were very warm with 10% cloud cover and a light southerly breeze, approximately Force 1 on the Beaufort Wind Scale.

2.6 Phase 1 Survey Equipment

During the Phase 1 survey, the surveyor was equipped with 8x40 binoculars, a telescopic ladder, relevant field guides, and a one million candle power torch.

2.7 Phase 1 Survey Limitations

Not all potential bat roosting features are accessible to the surveyor, e.g. gaps within soffit boxes, behind fascias, beneath roof materials or holes or cracks in trees, and therefore assessments are based upon the potential for these features to provide suitable roosting opportunities. It is usually not possible to accurately assign droppings to a particular bat species, therefore droppings are usually stated as belonging to a generic type e.g. pipistrelle-type. Additionally, decay rates of bat droppings will be determined by site-specific ambient conditions and it is not always possible to assign a meaningful age to droppings recorded.

It is not always possible to provide definitive assessments of a species' presence/likely absence at a site e.g. breeding birds, and so assessments are based on the presence of suitable habitat within/adjacent to a site. Therefore, in the absence of direct evidence, assessments are based upon the potential for the site to support the protected species considered.

3.0 RESULTS

3.1 Introduction

This section details the results of the desk-based assessment and Phase 1 field survey undertaken at Broadmark Lane and Vernon Close, Rustington on 21st July 2010 and provides an initial assessment of the ecological value of the site.

3.2 Desk-Based Survey Results

3.2.1 *National Biodiversity Network (NBN) Gateway Search*

A search of the NBN Gateway database revealed no records of protected species from specific locations within a 1km radius of the site. The database holds records of the following species from unspecified locations within the 10km grid square TQ00 within which the site is located:

- Adder *Vipera berus* (most recent record dated to 1964);
- Common lizard *Zootoca vivipara* (1974);
- Badger (1972);
- Dormouse (1966);
- Serotine *Eptesicus serotinus* (1997);
- Whiskered/Brandt's bat *Myotis mystacinus/brandtii* (1950);
- Natterer's bat *M. nattereri* (1898);
- Pipistrelle bat species *Pipistrellus pipistrellus sensu-lato* (1997);
- Common pipistrelle *Pipistrellus pipistrellus* (1999); and
- Brown long-eared bat *Plecotus auritus* (1980).

The NBN Gateway database is not an exhaustive record of all protected species records and therefore an absence of NBN records does not necessarily infer that a given species is not present. However, the database does show a relatively detailed level of protected species records for the 10km grid square TQ00 and therefore the virtual absence of records for the site and its surrounds is considered to be a realistic reflection of the distribution of protected species in this densely-developed region of West Sussex.

3.2.2 *Multi-Agency Geographical Information for the Countryside Database Search*

A search of the MAGIC database revealed the presence of no statutory or non-statutory designated sites located within a 1km radius of the site.

3.3 Vegetation Survey Results

3.3.1 No. 2 Broadmark Lane

The site contains little vegetation. The entire front garden to the east is laid to gravel (**Figure 1**) and contains a small number of planted ornamental shrubs and small trees including silver birch *Betula pendula*, maple *Acer* sp., conifers and a single elder *Sambucus nigra*. The rear garden to the west comprises a small square of tightly-mown amenity grass lawn with associated ornamental plantings containing a bamboo species, a lilac *Syringa* sp. and various ornamental herbaceous plants. A tall ornamental coniferous hedge borders the site to the north. The vegetation within the site comprises entirely planted and managed ornamental species and is of **negligible ecological value**.



Figure 1 (left) Front garden, No.2 Broadmark Lane

Figure 2 Front garden, No.4 Broadmark Lane

3.3.2 No. 4 Broadmark Lane

The site contains minimal vegetation. To the east the front garden comprises a small square area of sparsely-vegetated ground containing predominantly bare bark chippings and block paving (**Figure 2**). A tiny area of amenity grass lawn is present in addition to a small number of planted ornamental shrub species. The rear garden to the west is similar to that of No. 2 and contains a small area of managed grass lawn with associated ornamental plantings. The vegetation within the site comprises entirely planted and managed ornamental species and is of **negligible ecological value**.

3.3.3 No. 18 Vernon Close

The front garden to the east comprises an expanse of block paving with occasional ornamental plantings such as pampas grass *Cortaderia selloana* (**Figure 3**). Similarly, the rear garden to the west is laid almost entirely to paving except for a very small area of soil containing garden vegetables and a number of ornamental shrubs and

climbing plants (**Figure 4**). The vegetation within the site comprises entirely planted and managed ornamental species and is of **negligible ecological value**.



Figure 3 (left) Front garden, No.18 Vernon Close

Figure 4 Rear garden, No.18 Vernon Close

Overall, the three properties contain minimal amounts of vegetation cover. The vegetation present comprises entirely planted ornamental shrubs and herbaceous borders alongside small areas of managed grass lawns. As such, the vegetation within the three sites is considered to be of **negligible ecological value**.

3.4 Badger Survey Results

No evidence of badger presence or activity was recorded from any of the three properties. The properties do not contain any setts and there are no trails or dunging sites. The surrounding landscape comprises dense residential and commercial development with minimal greenspace. It is considered highly unlikely that badgers are present within the surrounding landscape and there is no suitable habitat which would indicate that the species would colonise the sites in the future. Overall, the three properties are considered to offer **negligible potential** for supporting badger.

3.5 Bat Survey Results

3.5.1 *Bats – Building and Tree Description and Assessment*

Number 2 Broadmark Lane

Number 2 Broadmark Lane comprises a moderately-sized, detached, brick-built bungalow-type dwelling dating to the mid-to-late 20th century. The building occupies an L-shaped footprint and comprises a main north-south aligned section with an east-west aligned section to the north-east. A modern uPVC sun room is situated at the south-eastern corner and a flat, felt-roofed extension is located at the south-western corner (**Figure 5**).

The roof is of gabled design and clad with modern, single-lap interlocking concrete roof tiles and half-round concrete ridges. A narrow wooden and uPVC soffit is present on all elevations. The entire roof is in very good repair, with no significant gaps, crevices or similar features noted. Two brick chimney stacks are present within the roof, both of which are fitted tightly with no gaps at the lead flashing bases. Overall, the building is considered to offer **negligible potential** for supporting roosting bats.



Figure 5 (left) No.2 Broadmark Lane, south-western elevation.

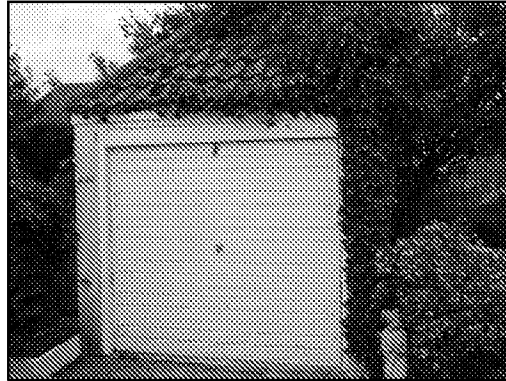


Figure 6 No.2 Broadmark Lane, detached garage building.

A small detached garage building is situated immediately to the south-west of the bungalow and comprises a concrete structure with a pyramidal roof clad with interlocking concrete roof tiles and half-round ridges (**Figure 6**). The roof is partly clad with dense ivy. The roof is in sound repair with no significant gaps or similar features noted. As such the garage building is considered to offer **negligible potential** for supporting roosting bats.

Internally the building contains a single large L-shaped roof void (**Figure 7**). The void is clad throughout with tight-fitting bitumen felt lining and the floor is fitted with Rockwool-type insulation throughout. The void contained no evidence of bat presence or activity and the entire void appears to be tight, with no significant gaps noted.



Figure 7 Roof void, No.2 Broadmark Lane

Overall, Number 2 Broadmark Lane contained no evidence of bat presence or activity and the building exhibits no features considered suitable for roosting bats. The site contains no mature trees offering tree roosting habitat. The site is considered to offer **negligible potential** for supporting roosting bats.

Number 4 Broadmark Lane

Number 4 Broadmark Lane is virtually identical in design to Number 2, comprising a modern detached bungalow occupying an L-shaped footprint. The roof is of gabled design and clad with square concrete roof tiles with half-round ridges (**Figure 8**). A narrow uPVC soffit is present on the horizontal eave sections and a deep soffit overhang is present on the larger gable ends. The roof is in sound repair, with no significant gaps or similar features noted. Overall, the building is considered to offer **negligible potential** for supporting roosting bats. The site contains no mature trees offering tree roosting habitat.

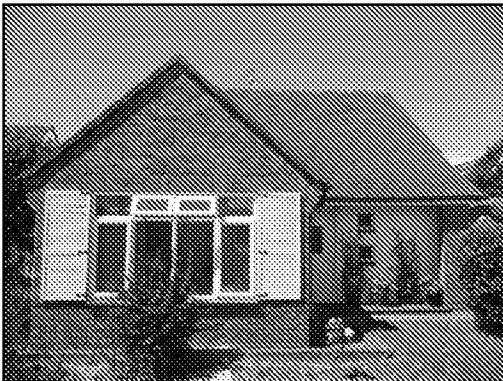


Figure 8 (left) No.4 Broadmark Lane, eastern elevation.

Figure 9 No.4 Broadmark Lane, roof void.

The single large roof void is lined with plastic gauze type lining and the void contained no evidence of bat presence or activity (**Figure 9**).

Number 18 Vernon Close

Number 18 Vernon Close is virtually identical in design and layout to the two preceding buildings, and comprises a detached residential bungalow occupying an L-shaped footprint. The bulk of the dwelling comprises two gable ended sections clad with interlocking concrete pan tiles and half-round concrete ridges (**Figure 10**). A narrow wooden/uPVC soffit is present on all elevations. A small flat, felt-roofed extension is present at the south-western corner of the building (**Figure 11**). A small detached garage building with a flat, felt-covered roof is present to the west of the main building.

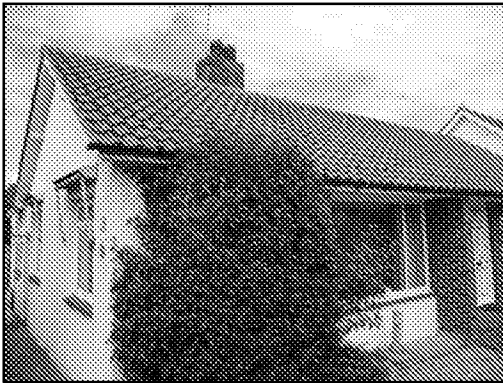


Figure 10 (left) No.18 Vernon Close, eastern elevation

Figure 11. No.18 Vernon Close, south-western elevation.

Overall, the main building and the garage are in sound repair, with no significant gaps or similar features noted. As such they are considered to offer **negligible potential** for supporting roosting bats. The site contains no mature trees offering tree roosting habitat. The building contains a single large roof, identical in design to the two preceding buildings (**Figure 12**). No evidence of bat presence or activity was noted.



Figure 12. No.18 Vernon Close, roof void.

3.5.2 *Foraging and Commuting Habitat*

The site is situated in a densely-developed landscape with minimal areas of vegetation except for residential gardens containing mature shrubs and occasional trees. As such, the wider landscape offers little potential bat foraging and commuting habitat. The three properties themselves contain minimal vegetation cover and overall are considered to offer **low potential** for supporting foraging or commuting bats.

3.6 **Dormouse Survey Results**

The three properties contain no suitable dormouse habitat in the form of woodland, scrub or hedgerows. Similarly, the surrounding landscape is densely-developed and contains no suitable areas of dense woody vegetation. As such, the three properties are considered to offer **negligible potential** for supporting dormice.

3.7 **Bird Survey Results**

No direct evidence of breeding bird activity was recorded during the survey. The three properties contain minimal vegetation cover, although there is some potential for very small numbers of common garden bird species to occur. A small number of house sparrow *Passer domesticus* were noted in the general area, suggesting that a breeding colony of this species is present within the immediate vicinity. Overall, the three properties are considered to offer **low potential** for supporting breeding birds.

3.8 **Reptile Survey Results**

The three properties do not contain any significant areas of vegetation and the vegetation that is present is regularly managed and therefore entirely unsuitable for reptiles. Overall, the three properties and the surrounding landscape are considered to offer **negligible potential** for supporting reptile species.

3.9 Great-crested Newt Survey Results

The three sites, as well as the surrounding landscape, do not contain any waterbodies and therefore there is no suitable breeding habitat for this species. Additionally, the three sites and the surrounding landscape do not contain any suitable semi-natural vegetation for supporting this species in its terrestrial phase. Overall, the three sites are considered to offer **negligible potential** for supporting great crested newts.

3.10 Overall Site Assessment

Overall, the three properties are considered to be of **negligible ecological value**. There are no significant areas of vegetation, and that which does occur is entirely managed and ornamental. The three residential dwellings and two garage buildings offer no suitable bat roosting features and contained no evidence of bat presence or activity. The surrounding landscape contains no areas of semi-natural vegetation and offers poor bat foraging and commuting habitat.

In terms of other protected species, the site offers negligible potential for supporting badger, dormouse, reptiles and great crested newt. The occasional mature ornamental shrubs and boundary vegetation within the three properties are considered to offer low potential for supporting small numbers of common garden bird species.

4.0 EVALUATION, IMPACTS AND RECOMMENDATIONS

4.1 Introduction

This section presents the conclusions of the Phase 1 ecological survey and provides an initial assessment of the likely ecological constraints to the proposed development and recommendations for any further survey work considered necessary. An outline of protected species legislation relevant to the findings of this report is provided in **Appendix 1**.

4.2 Designated Sites

4.2.1 Evaluation

There are no statutory or non-statutory designated sites within a 1km radius of the three properties.

4.2.2 Potential Impacts of Proposed Development

There will be no impacts to designated sites associated with the proposed development of the three properties.

4.2.3 Recommendations

There are no recommendations made in respect of designated sites.

4.3 Vegetation

4.3.1 Evaluation

The three properties contain minimal amounts of vegetation and that which does occur is entirely ornamental and regularly managed. As such the vegetation within the properties is considered to be of negligible ecological value.

4.3.2 Potential Impacts of Proposed Development

It is expected that all vegetation within the three properties will be removed before any proposed development. The only impact associated with any vegetation removal will be to potential bird nesting habitat.

4.3.3 Recommendations

It is recommended that in order to avoid any disturbance to nesting birds, all vegetation removal is undertaken outside of the main bird nesting season which extends from March to August inclusive. Should vegetation removal be necessary

within this period, it is recommended that vegetation is inspected beforehand by a suitably-qualified ecologist.

4.4 Badger

4.4.1 Evaluation

The three properties contain no evidence of badger presence or activity and as such are considered to offer negligible potential for supporting badgers.

4.4.2 Potential Impacts of Proposed Development

As badgers are unlikely to occur the proposed development will not impact upon badgers.

4.4.3 Recommendations

Badgers can readily colonise previously-unoccupied sites and therefore if a period of two years should elapse between the date of this report and development works commencing, it is recommended that an updating badger presence/likely absence survey is undertaken by a qualified ecologist. It is recommended that the site owner remains vigilant to signs of badger occupancy: should badgers colonise the site it may be necessary to implement specific mitigation measures in order to minimise any impacts on badgers during and post construction.

4.5 Bats

4.5.1 Evaluation

No evidence of roosting bats was recorded at the three properties. None of the buildings are considered to offer any bat roosting potential and there are no suitable tree roosting opportunities. The three properties are considered to offer negligible bat roosting potential.

4.5.2 Potential Impacts of Proposed Development

As roosting bats are not considered to occur there will be no impacts associated with the proposed development.

4.5.3 Recommendations

No recommendations are made at present. However, should a period of two years elapse between the date of this report and development works commencing it is recommended that an updating Phase 1 bat survey is undertaken in order to assess whether bats have colonised the site.

4.6 Dormouse

4.6.1 Evaluation

The site does not contain any suitable dormouse habitat and the site is not well-connected to any such habitat in the wider landscape. Therefore, the site offers negligible potential for supporting dormouse.

4.6.2 Potential Impacts of Proposed Development

The proposed development will present no impact to dormouse.

4.6.3 Recommendations

No recommendations are considered necessary.

4.7 Breeding Birds

4.7.1 Evaluation

Although no direct evidence of bird breeding activity was recorded, the three properties do contain some minimal areas of suitable nesting habitat in the form of mature ornamental shrubs. As such, the site provides potential for supporting very small numbers of common garden bird species.

4.7.2 Potential Impacts of Proposed Development

Any removal or alteration of ornamental woody vegetation during the nesting season has the potential to impact upon nesting birds through direct disturbance or removal/alteration of habitat.

4.7.3 Recommendations

It is recommended that any removal or alteration of dense woody vegetation is undertaken outside of the main bird nesting season which extends from March to August inclusive. Should works be required within this period, all areas of vegetation to be affected should be inspected beforehand by a suitable-qualified ecologist. If an active nest is present, a 3m buffer zone should be established surrounding the nest within which no further works should take place. Once nesting has taken place and young have left the nest, vegetation removal can commence.

It is recommended that the re-developed site could contain a number of features offering suitable habitat for nesting birds. For example, as house sparrows are present within the wider area, any new dwellings could include a series of house

sparrow nest boxes attached beneath eaves. Further recommendations can be made once detailed site proposals are known.

4.8 Reptiles

4.8.1 Evaluation

The three properties contain no areas of suitable reptile habitat and therefore offer negligible potential for supporting reptiles.

4.8.2 Potential Impacts of Proposed Development

As reptiles are not considered to occur there will be no impact associated with the proposed development.

4.8.3 Recommendations

There are no recommendations in respect of reptiles.

4.9 Great Crested Newt

4.9.1 Evaluation

The three properties contain no waterbodies or suitable terrestrial habitat and are therefore considered to offer negligible potential for supporting great crested newts.

4.9.2 Potential Impacts of Proposed Development

As this species is not considered to occur there will be no impact associated with the proposed development.

4.9.3 Recommendations

No recommendations are considered necessary.

Appendix 1 Protected Species Legislation

Wild Birds⁴

The Wildlife & Countryside Act 1981 (as amended) is domestic legislation for Great Britain that repeals existing wildlife legislation such as:

- Protection of Birds Acts 1954 to 1967; and
- Conservation of Wild Creatures and Wild Plants Act 1975.

The Act covers the provisions made in these previous acts and provides additional provision for species and countryside protection. The Act is the primary legislation in Great Britain for the protection of flora, fauna and the countryside. The Act includes the UK's domestic implementation of the species protection of the European Directive on the Conservation of Wild Birds (79/409).

Under the Wildlife and Countryside Act 1981 all birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions to intentionally:

- Kill, injure or take any wild bird.
- Take, damage or destroy the nest of any wild bird while it is in use or being built.
- Take or destroy the egg of any wild bird.
- Have in one's possession or control any wild bird (dead or alive) or any part of a wild bird which has been taken in contravention of the Act or the Protection of Birds Act 1954.
- Have in one's possession or control any egg or part of an egg which has been taken in contravention to the Act. This includes items taken or killed before the passing of the Act.
- Have in one's possession or control any live bird of prey of any species in the world (with the exception of vultures and condors) unless it is registered and ringed in accordance with the Secretary of State's regulations.
- Have in one's possession or control any bird of a species occurring on Schedule 4 of the Act unless registered (and in some cases ringed) in accordance with the Secretary of State's regulations.
- Disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

⁴ www.naturenet.net