ARUN DISTRICT COUNCIL SS/3/09/DOC

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No. SS 3 09 DOC
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Protected Species Walkover Survey

Offham Farm Service Bridge
Arundel

2nd March 2009

Registered Office: Shepherds Lodge, Stag Park, Petworth, West Sussex, GU28 9LT
Registered in England and Wales No. 06527840

ARUN DISTRICT COUNCIL SS/3/09/DOC

Summary

- The site was surveyed on 2nd March 2009 by Paul Whitby, to assess for the potential presence of any protected species.
- Some Bramble scrub may need to be removed from the foundations of the existing bridge. Such operations should be conducted outside the nesting bird season (mid February to mid March) or following a hand search by an experienced ecologist.
- No evidence of any other protected species, such as Badgers or Otters was identified, although recent strimming operations to clear vegetation from the foundations of the bridge could potentially have disturbed evidence such as Otter spraints.
- Because this survey has been conducted in early March, it is possible that some seasonal flowering plants will not have been identified.

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ARUN DISTRICT COUNCIL SS/3/09/DOC

1 Introduction

1.1 This survey comprised an ecological walkover survey for all protected wildlife and was carried out by Paul Whitby, a member of IEEM.

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.

1.3 The report provides the results of day time visit to conduct a survey and assessment during daylight for any evidence or habitats of protected species.

1.4 This survey and report was carried out and produced at the request of Roland Boxall on behalf of the Norfolk estate.

2 Background

2.1 This report gives details of an ecological survey carried out a section of riverbank where an old bridge is due to be replaced near Offham Farm, Arundel. Additionally, ecological background data was obtained from the Sussex Biodiversity Records Centre, to identify what protected species have been previously recorded within 1km of the site. The grid reference for the bridge is – TQ 030 087.

2.2 The Bridge replacement location is on a section of the river Arun that is surrounded by farmland. The existing bridge has been condemned as unsafe for vehicles to use and has large wooden planks forming an uneven crossing platform.

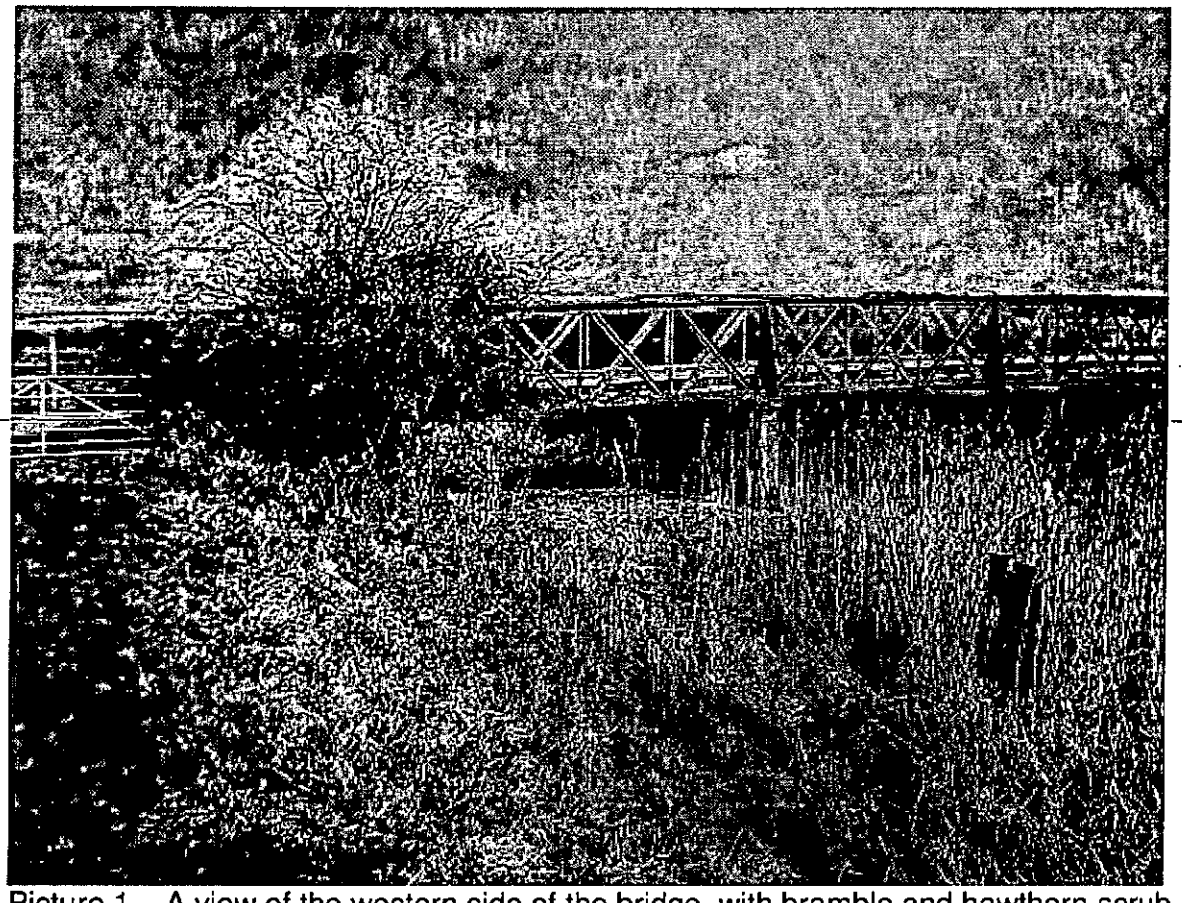
2.3 The western side of the bridge has a public footpath running along the upper part of the bank and the improved grassland along it is worn, although some ground flora, including Bristly ox-tongue (*Picris echioides*) and *Rumex spp.*

2.4 The footings of the bridge on the western bank have Bramble growing around it and a single semi-mature Hawthorn tree. The riverbank around parts of the bridge has been recently strimmed to control vegetation growing around it.

2.5 An earth mound located just to the north of the bridge next to the footpath has a greater variety of plants growing upon it, with Germander Speedwell (*Veronica Chamaedrys*) and species of dead nettle (*Lamium spp*) amongst other emerging plants.

2.6 The tidal range of the river bank is dominated heavily by Common Reed (*Phragmites australis*) in both direstions, although a section of riverbank heading north from the bridge is reinforced by steel girders, reducing the growing area of the bank..

ARUN DISTRICT COUNCIL SS/3/09/DC

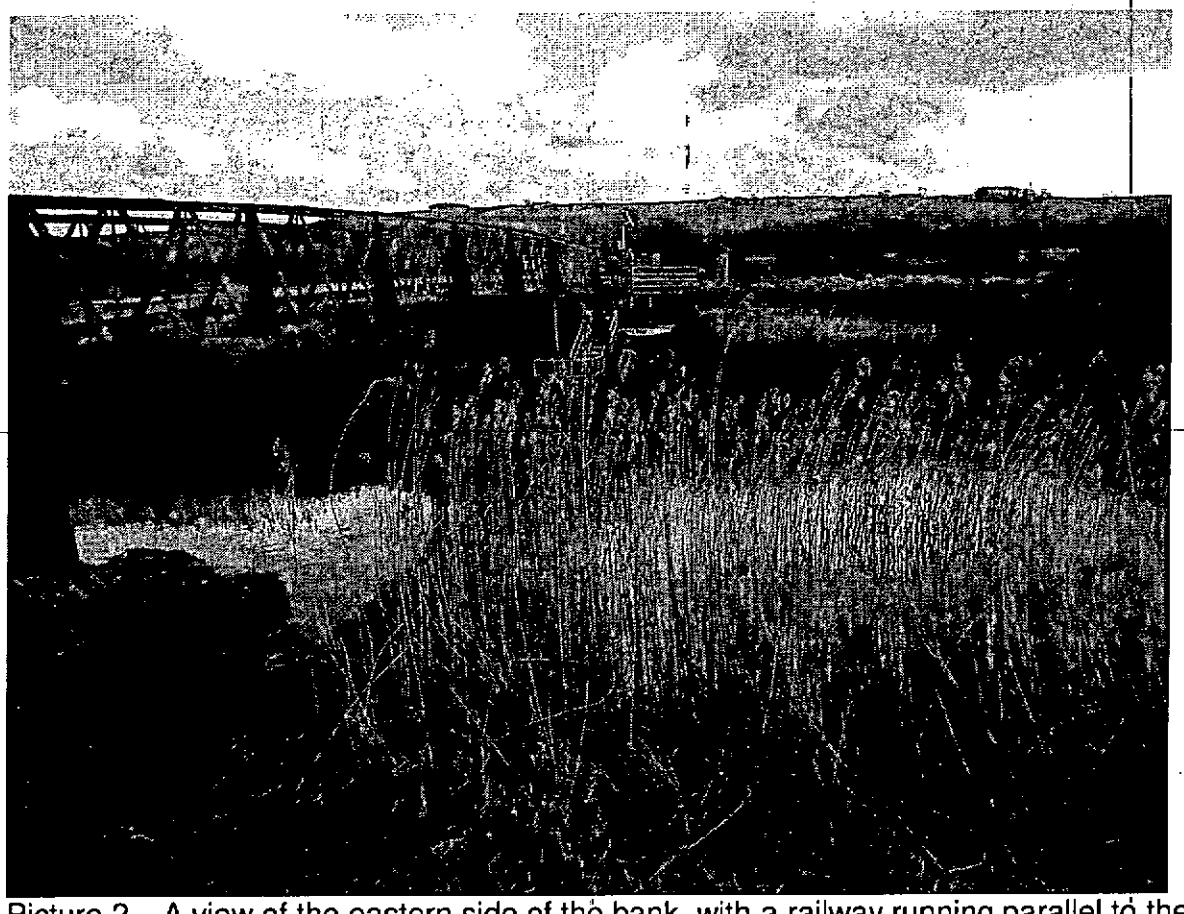


Picture 1 – A view of the western side of the bridge, with bramble and hawthorn scrub growing around the bridge and Common reed dominating the river bank.

2.7 The eastern side of the bridge runs up to a railway line that runs adjacent to the river. The river bank on this side of the river are similar to the western side, however the Phramites growth ceases approximately 10 metres from the bridge heading to the south.

2.8 On this side of the bank, the footings of the bridge are also surrounded by Bramble and Common Nettle, whilst much of the vegetation has also been strimmed back. The grassland across the upper bank is typical of grazed pasture, with Perennial Rye Grass (*Lolium perenne*) heavily dominating.

ARUN DISTRICT COUNCIL SS/3/09/DC



Picture 2 – A view of the eastern side of the bank, with a railway running parallel to the river.

2.9 A pastoral field just to the north west of the bridge is proposed for the location of a construction base that will support the crane required to lift the old bridge off and position the new bridge. This field is separated from the river by a recently cut, short managed Hawthorn hedgerow. Some young hawthorn trees have been allowed to grow in this hedge, presumably to improve screening from the public footpath.

2.10 The Hawthorn hedgerow is species poor, with no identified climbing plants or other hedgerow tree species (although this hedgerow had been recently cut and some species would not be visible at this time of year). It is understood that a section of this hedgerow may need to be cut back to allow access for construction vehicles. See pic 3

2.11 The field itself, in which the crane will be positioned, is species poor, dominated by hardy grazing tolerant grasses, with some thistle (*Cirsium spp*) growing in sparse patches.

ARUN DISTRICT COUNCIL SS/3/09/DOC



Picture 3 – The pastoral field and hedge to be cut through, where the crane would be positioned for removing the old bridge and positioning the new bridge. The field is species poor and holds minimal ecological value.

3 Method

3.1 A protected species walkover assessment was carried out on 2nd March 2009 to evaluate the site for its potential to support protected species. Taking into consideration the geographical region and habitat type, species that could be encountered are:

- Badger;
- Bats;
- Nesting birds;
- Great Crested Newt;
- Reptiles;
- Otters and Water Voles.

3.2 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.

ARUN DISTRICT COUNCIL SS/3/09/DOC

3.3 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.

3.4 Bats - Trees and other structures were assessed for the potential to support roosting bats. Bats can use a variety of roost areas including trees with holes, splits, cracks, cavities, Ivy and loose bark.

3.5 If any definite signs of bats or other evidence had been found (such as actual sightings, droppings, urine stains, odour, scratch marks, grease stains and feeding remains), they would have been recorded, though finding such evidence is less likely at this time of year or level of survey.

3.6 Breeding Birds - Habitats were assessed for their suitability for nesting birds. This could include ground nesting species, such as Skylark (*Alauda arvensis*) and Lapwing (*Vanellus vanellus*) or birds that favour urban environments, such as the House Sparrow (*Passer domesticus*).

3.7 Great Crested Newt - Initial surveys centre on identifying suitable habitat. If there are Great Crested Newt (*Triturus cristatus*) breeding ponds within 500 m that are not isolated from the site by unsuitable habitat or physical barriers, the species might be using terrestrial habitat on the site.

3.8 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).

3.9 Otters and Water Voles – The river banks were walked and assessed each side of the river to the north and south of the bridge. Evidence for Water Voles, such ad burrow's, feeding stations and droppings were searched for and for Otters, any spraints, footprints or feeding remains would also have been noted.

4 Results

4.1 Badger - No evidence of Badgers was observed during the survey. If a Badger sett was located within 30 metres of the Bridge or the crane platform area, then runs, latrines and feeding evidence would be evident.

4.2 Bats - No trees are present that could support roosting bats. Bridges are commonly used by some bat species, such as Daubentons (*Myotis daubentoni*) during the summer months, however a metal bridge structure such as this would not be used during the hibernation period (November to March). The disturbance from continued use of the bridge would suggest that this structure would not be a favourable roosting location for bats.

4.3 Breeding Birds - The bramble scrub and dense patches of Phragmites could be used by some nesting bird species, particularly some ground nesting species of waterfowl. Common reeds are often used by nesting birds including Reed Warbler (*Acrocephalus scirpaceus*) and Reed Bunting (*Emberiza schoeniclus*). A section of

ARUN DISTRICT COUNCIL SS/3/09/DOC

short trimmed hedgerow may also need to be removed as part of the development. Hedgerows are common nesting locations for a variety of bird species, although in this instance the short height of the hedge means that it is less favourable.

4.4 Reptiles - Records exist within the area for all four common reptile species – Grass Snake (*Natrix natrix*), Adder (*Vipera beris*), Slow Worm (*Anguis fragilis*) and Common Lizard (*Lacerta vivipara*). The majority of these records are more than 15 years old, and the habitat along the river bank is deemed to be sub-optimal. The poor grassland diversity present on the river bank would support few invertebrates necessary to feed Slow Worms and Common Lizard, whilst no ponds were identified during the survey to support amphibian populations, which form the staple diet of Grass Snakes.

4.5 Otters and Water Voles - Records supplied by the Sussex Biodiversity Records Centre showed that Water Voles are found within the locality. However, this appears to be upon wetland areas other than the river Arun, which is very fast flowing and unlikely therefore to support this species within its fast flowing tidal range. No evidence of this species was identified during the survey.

4.6 Records of Otters were not available in the data record search. Examining the site and immediate area no evidence of this species was observed during the survey. However, it should be noted that survey effort is hampered upon tidal rivers as evidence such as spraints and footprints may be washed away by the rising tide. Additionally, the vegetation underneath the bridge (a favoured spraint location by otters) had been recently strimmed of vegetation, causing some disturbance.

4.7 Great Crested Newts - No records for Great Crested Newts were found within the data search conducted by the records centre. Additionally, no ponds were identified within the locality during the survey, or following an inspection of aerial mapping on Google Earth.

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.

5.2 Because this survey has been conducted during early march, some botanical species may have been missed, as they are only visible during the spring/summer growing months.

ARUN DISTRICT COUNCIL SS/3/09/DOC

6 Conclusions

6.1 Badger - No Badger activity was identified during the survey and it is highly unlikely that a Badger sett is located within 30 metres of the development. If badgers were located within close proximity to the site, then evidence of badgers would have been identified, including latrines and setts. Although the site is situated within a rural area, it is unlikely that a sett would become established in this location due to the disturbance of the railway line on one side of the bridge, and the footpath on the other side.

6.2 Bats - No mature trees are to be affected by the development, however, the bridge being removed could potentially support solitary roosting bats during the summer months, despite this bridge representing a typically poor roosting location. To ensure there is minimal risk of disturbing or injuring bats, the works to replace the bridge should ideally commence between November and March (inclusive).

6.3 Breeding Birds - The scrub, hedgerow and phragmites that may be lost to the development could support nesting birds. In particular, some ground nesting waterfowl species may nest close to the bridge. For this reason, it is advised that the clearance of any vegetation should be undertaken outside the nesting bird season (mid February to mid August) or following a hand search by a suitably qualified ecologist.

6.4 Reptiles - There is potential for reptile species to be present within the local area, although the habitat present is deemed to be sub optimal. The major impact area (the crane construction zone) is within a short pastoral field, which is highly unlikely to support any species of reptile. No further surveys or mitigation is recommended for reptiles.

6.5 Great Crested Newts – No evidence to suggest that Great Crested Newts are found within the locality has been found. Records supplied by the SxBRC have shown that this species has not been found within 1km of the site in the past. No further surveys or mitigation is deemed necessary for this species.

Appendix 1 – 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.

Bats, 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 1994* 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

ARUN DISTRICT COUNCIL SS/3/09/DOC

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.

ARUN DISTRICT COUNCIL SS/3/09/010