



Bexhill, Galley Hill View,
Sussex

Ecological Constraints Report

BRB (Residuary) Ltd

May 2010

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Atkins Limited

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01	Final report for issue					
Surveyors	MA	ATKINS				

1. Key Issues

The following key ecological issues were identified:

- the presence of suitable habitat for invertebrate species
- the presence of habitat with potential to be used by breeding birds - if vegetation clearance take place within the breeding season (February to August inclusive)
- the presence of habitat with low potential to support reptile species, in particular common lizard.

Recommendations are provided for these issues. In summary, these are:

- A full suite of invertebrate surveys by a specialist to assess the nature and interest of species present within the site – if evidence of an important assemblage of invertebrates is found, further mitigation will be required and this could affect the timing of works
- appropriate methods of working to take account of breeding birds and reptiles.

2. Introduction

Atkins Limited (Atkins) was commissioned by BRB (Residual) Ltd to identify any potential ecological constraints related to the proposed redevelopment of the site at Galley Hill View in Bexhill, East Sussex. The site is located along the southern edge of the town of Bexhill and fronts onto Galley Hill View to the north. The site is bound to the south by the main Eastbourne to Hastings railway line and is centred on Ordnance Survey Grid Reference TQ 754 077.

This report provides details of ecological information obtained from a desk study and a walkover survey undertaken on the 14th May 2010.

For a summary of relevant legislation regarding species or designated sites see the Legislation Table in Appendix 1.

Background

The former Galley Hill Depot is within the administrative area of Rother District Council. The site covers approximately 1.6 hectares and is largely clear of structures. The site lies adjacent to the main Eastbourne and Hasting railway line and was previously used as an oil storage depot. The site is adjoined to the north by residential development in Galley Hill road, and by further residential properties and a school to the west.

The site has been proposed for redevelopment and is included within the Local Plan as a proposed housing site. The site is currently up for sale so precise details of the proposed housing redevelopment are still to be finalised and the extent and timing of the proposed works are unknown at this time. Proposals include the provision of new residential housing, to include affordable homes and the creation of new road junction to improve access.

Aerial photograph 1 below shows the site, the boundary is depicted in red.



Photograph 1

3. Methodology

Desk Study

The Multi-Agency Geographic Information for the Countryside (MAGIC) website (www.magic.gov.uk) was reviewed for information on locally (Local Nature Reserve), nationally (SSSI) and internationally (SAC, SPA, Ramsar site) designated sites of nature conservation importance (statutory sites only) within 2 km of the boundary of the proposed works.

A search was undertaken on the site only to check for non-statutory designations from East Sussex Council.

The UK Biodiversity Action Plan (BAP) website (<http://www.ukbap.org.uk/default.aspx>) was reviewed for priority species and habitats within the UK and the Sussex BAP to determine which of these are present (or may be present) within the boundary of the proposed works.

Ordnance Survey maps were used to identify the presence of water bodies within 500 m of the site, in order to establish if the site could be used as terrestrial habitat for great crested newts. This species can use suitable terrestrial habitat up to 500 m from a breeding pond (Great crested newt mitigation guidelines, English Nature, 2001).

Walkover Survey

A walkover ecological survey of the site and the immediate surrounds (the survey area) was undertaken on 14th May 2010 broadly following the 'Extended Phase 1' methodology as set out in Guidelines for Baseline Ecological Assessment (Institute of Environmental Assessment 1995). This survey method records information on the habitats within the survey area together with any evidence of and potential for legally protected and notable fauna, as follows;

- potential roosting sites for bats within trees (identification of suitable cracks and crevices);
- land within the site and waterbodies up to 500 m away were assessed for potential to support great crested newts where access allowed;
- searching for signs of badger activity including setts, tracks, snuffle holes and latrines within and up to 50 m from the site (where access allowed);
- habitat suitable for nesting birds (including any old nests) reptiles, dormice, amphibians, and invertebrates, and;
- the presence of Japanese knotweed and giant hogweed (invasive plant species subject to strict legal control) within and up to 10 m from the site.

Survey limitations

Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year, migration patterns and behaviour. Therefore the survey of this site has not produced a complete list of plants and animals and the absence of evidence of any particular species should not be taken as conclusive proof that the species is not present or that it will not be present in the future.

Access was restricted around the site by security fencing. However, to the north and west of the site, adjacent areas could be accessed via roads and footpaths. The land adjacent to the south within the corridor of the railway line could not be accessed. There were some dense areas of continuous scrub which could not be accessed along railway line fence.

Due to timing restrictions a search for non-statutory sites was not undertaken and the local biological records centre was not contacted for records. However, a specific search was undertaken to check whether the actual site has any local designations by contacting East Sussex County Council. Nevertheless, the results of this ecological survey have allowed an evaluation of the likely use of the site by protected and controlled species and the requirement for mitigation works.

4. Desk Study Results			
<i>Statutory designated sites:</i>			
Site of Special Scientific Interest (SSSI)	There are no SSSIs located within 2km of the site.	Special Area for Conservation (SAC)	There are no SACs located within 2 km of the site.
Special Protection Area (SPA)	There are no SPAs within 2 km of the site.	Wetland of International Importance (Ramsar site)	There are no Ramsar sites within 2 km of the site.
National Nature Reserve (NNR)	There are no NNRs within 2 km of the site.	Local Nature Reserve (LNR)	There are no LNRs within 2 km of the site.
<i>Non-statutory designated sites</i>			
County Wildlife Sites	The site has no designations.		
<i>Notable habitats:</i>			
Waterbodies	<p>No ponds have been identified within 500 m of the site.</p> <p>The closest identified waterbodies are small isolated networks of ditches located more than 500 m to the north, north east and north west of the site. The site is isolated from these ditches by roads and residential and commercial properties.</p>	Notable habitat	<p>Three areas of ancient woodland have been identified within 2km the site. These include Roundacre Wood, Pebsham Wood and Combe Wood. All three areas of ancient woodland are located over 1.5km north of the site. Due to the distance from the scheme no effects are predicted and these sites are not considered further</p>

5. Site Survey Results

Site Description

The site is a brownfield site and was previously used as a BP depot. The infrastructure associated with the previous use of the site has been removed offsite although the hardstanding foundations of old buildings and access tracks are still present within the western half of the site. The site is triangular in shape and extends approximately 1.6 ha and is henceforth termed 'the site'. The site is bounded by security fencing.

The site comprises of a mosaic of habitats typical of natural regeneration by common herbaceous weed species found within the local area. Dominant habitats within the site boundary comprise of tall herbs and scattered scrub, young willows, buddleia, gorse and bramble interspersed with hardstanding.

The north east corner is comprised of hardstanding with scattered scrub, dominated by elder and buddleia, which leads to the east into a mosaic of species typical of regeneration on previously disturbed ground. Species include mosses, teasel, silver weed, dandelion and evening primrose. Scattered scrub comprised of willow and bramble was also recorded within this area. Interspersed amongst the vegetation was gravel substrate that was found to support discrete areas of poor semi improved grassland dominated by perennial ryegrass. Common herbaceous weed species were recorded within the grass sward and the species include common plantain, bindweed, teasel, common vetch, black medic and creeping thistle. Stands of sedge and common reed were also noted. The eastern area of the site was found to be more open and the ground vegetation comprises of cock's-foot, evening primrose, wild strawberry, self heal and yarrow interspersed by bramble and hawthorn scrub.

The site boundaries comprise a metal fence that is fronted intermittently by a strip of dense scrub and shrubs along the south east boundary of the site. This strip sits adjacent to a defunct hedge and leads into an area of dense scrub, dominated by gorse and hawthorn, that dominates the far eastern corner of the site. A 2 m strip of poor semi-improved grassland, dominated by cock's-foot, backs the defunct hedgerow to the north. Common herbaceous weeds found within the grass sward include yarrow, primrose, wild strawberry and self heal, stands of crab apple were also noted.

Immediately adjacent to the southern boundary, there is a railway line with no embankments are present. The areas adjacent to the south, to the north and west are residential (hard standing habitats).

Notable and legally protected species on site (presence/absence/potential for)

<p>Bats</p>	<p>The site does not contain habitat features with the potential to support roosting bats. There are no trees or built structures located within the site boundary.</p> <p>The adjacent railway line does provide a corridor that could be used by bats.</p> <p>The species is not predicted to be a constraint to the works and is not considered further.</p>	<p>Badger</p>	<p>No evidence of badger was found on the site, or within 50 m of the site. The species is not predicted to be a constraint to the works and is not considered further.</p>
<p>Great crested newts</p>	<p>No waterbodies have been identified within 500 m.</p> <p>This species is not predicted to be a constraint to the works or require mitigation and is not considered</p>	<p>Water vole</p>	<p>No water bodies are located within the site boundary. The species is not predicted to be a constraint and is not considered further.</p>

Notable and legally protected species on site (presence/absence/potential for)			
	further.		
White-clawed crayfish	There no potential for white-clawed crayfish to occur within the site and this species is not considered to be a constraint and therefore is not considered further.	Otter	There no potential for otter to occur within the site and this species is not considered to be a constraint and therefore is not considered further
Reptiles	The habitats found within the southern area of the site are contiguous with the railway line to the south of the site although no railway embankments, often associated with reptile species, are present along the line immediately adjacent to the site. The scrub and hard standing interfaces present within the site offer low potential to support foraging habitat and basking spots for reptiles. There are no potential refuge/hibernation sites.	Nesting birds	The scattered scrub is considered to have potential to support breeding birds.
UK Biodiversity Action Plan (BAP) priority species/habitats	None recorded.	Local BAP priority species/habitat	None recorded.
Invertebrates	Mosaic of habitats including scattered scrub, wet areas, bare earth with regenerating scrub and grasses offer value to invertebrates. This site in context with the limited surrounding habitats of mostly residential areas should also be considered.	Fish	None recorded.
Japanese knotweed	No Japanese knotweed was present within the site at the time of the survey.	Giant hogweed	No giant hogweed was present within the site at the time of the survey.

6. Key Potential Constraints

This section summarises the key constraints identified on the site to be considered prior and during the development of the site. For information regarding the recommended approach to avoid these potential constraints, minimise any effects, or for the requirement to conduct further ecological surveys see the recommendations given in Section 7.

1. Nesting birds

It is considered that the scattered scrub present within the site has the potential to support breeding birds.

2. Reptiles

There is a low risk of encountering reptiles during the works. The habitat is not optimal and any reptiles present are unlikely to be harmed because there is a lack of refuges for shelter. It is expected that any reptiles would be sufficiently disturbed when the works commence that they will leave the works area of their own accord and move into suitable habitats along the railway line and gardens of residential areas which back onto the site.

3. Invertebrates

The site provides habitats which are not locally abundant in the immediate adjacent areas due to the residential dwellings and urban area. The diversity and composition of habitats present are considered to have potential to support invertebrates. There is currently insufficient data to accurately assess the ecological constraint of invertebrate species on the proposed development and further invertebrate surveys would be required to assess the character and interest of the invertebrate fauna present.

7. Recommendations for Mitigation or Further Survey

1. Breeding birds- The potential for breeding birds was identified in the scattered scrub habitats and it is recommended that any proposed vegetation clearance works should be carried out before 1st February or after 31st August in order to avoid affecting any birds during the main period in which they are nesting. It should be noted that some species regularly breed outside of this period, including woodpigeon and collared dove although the habitats present within the site are considered unlikely to support these species.

If works are deemed necessary during this period or if any species is believed to be nesting an ecologist would be required to confirm that no resident birds will be affected by the proposed works. A check for nests should be made by an ecologist (or an appointed competent person) not more than 24 hours prior to commencement of works. Conflict with development can be avoided by minimising the suitability of the site, as breeding bird habitat, outside of the breeding period in advance of any proposed works.

2. Invertebrates- It is recommended that an initial invertebrate survey/appraisal be undertaken to inform recommendations for mitigation if appropriate.

3. Reptiles- During the clearance works there will be a considerable amount of disturbance. This will encourage any reptiles that are present to move away. If a reptile is discovered during clearance this area should be left until the reptile has left on its own accord.

Resurvey of Site

Further ecological survey is required if no works are undertaken on site within 12 months of this survey (by May 2011 because of the mobility of animals and the potential for colonisation of the site.

APPENDIX 1

Summary of Relevant Legislation

This report has been prepared by an environmental specialist and does not purport to provide legal advice. You may wish to take separate legal advice'

Species	Legislation (England)	Offences	Licensing procedures (England)
Breeding birds	Wildlife and Countryside Act 1981 (as amended) S.1	Intentionally kill, injure or take any wild bird; intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built; intentionally take or destroy the nest or eggs of any wild bird. [Special penalties are liable for these offences involving birds on Schedule 1 (e.g. most birds of prey, kingfisher, barn owl, black redstart, little ringed plover).] Intentionally or recklessly disturb a Schedule 1 species while it is building a nest or is in, on or near a nest containing eggs or young; intentionally or recklessly disturb dependent young of such a species.	No licences are available to disturb any breeding birds in regard to development. Licences are available in certain circumstances to damage or destroy nests, but these only apply to the list of licensable activities in the Act and do not cover development. General licences are available in respect of 'pest species' but only for certain very specific purposes e.g. public health, public safety, air safety.
Adder Common lizard Grass snake Slow worm	Wildlife and Countryside Act 1981 S.9(1) (part); S.9(5)	Intentionally kill or injure any common reptile species.	No licence is required in England. However an assessment for the potential of a site to support reptiles should be undertaken prior to any development works which have potential to affect these animals.

