

James Neave
Acting County Planning Team Manager

Please respond to James Neave
Tel: 0330 2225 571
email: james.neave@westsussex.gov.uk

www.westsussex.gov.uk

County Planning

County Hall
Chichester
West Sussex
PO19 1RH

Tel: 01243 777 100



Camilla Fisher
RPS Group Plc.

2 October 2020

By email only

Dear Ms. Fisher,

Application Ref: WSCC/015/18/NH (APP/P3800/W/18/3218965)

Proposal: Recycling, Recovery and Renewable Energy Facility and Ancillary Infrastructure

Address: Former Wealden Brickworks (Site HB), Langhurstwood Road, Horsham, West Sussex, RH12 4QD

Condition(s):

Thank you for your recent submission regarding the above. The Council has considered the information and I am now able to inform you that:

Condition 6 – Bird Hazard Management Plan

The submitted detail for condition 6 (ref: Bird Hazard Management Plan – Final 2 – dated 1st October 2020) is acceptable, and the pre-commencement element of condition 6 is now **discharged**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Neave'.

James Neave

BIRD HAZARD MANAGEMENT PLAN

Recycling recovery and renewable energy facility
Former Wealden Brickworks, Horsham, West Sussex

Britanniacrest Recycling Ltd

Bird Hazard Management
Plan
Final2
1st October 2020

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
1	Bird Hazard Management Plan	Tim Oliver	Nick Betson	Nick Betson	10 th Aug 20
2	Revised Plan	Tim Oliver	Camilla Fisher	Camilla Fisher	18 th Aug 20
3	Final Draft	Tim Oliver	Camilla Fisher	Camilla Fisher	19 th Aug 20
4	Final for submission	Tim Oliver	Camilla Fisher	Camilla Fisher	24 th Aug 20
5	Revision following LPA comments	Tim Oliver	Camilla Fisher	Camilla Fisher	21 st Sept 20
6	Auditory scaring controls	Tim Oliver	Camilla Fisher	Camilla Fisher	1 st Oct 20

Approval for issue

Camilla Fisher

1 October 2020

© Copyright RPS Group Plc. All rights reserved.

The report has been prepared for the exclusive use of our client and unless otherwise agreed in writing by RPS Group Plc, any of its subsidiaries, or a related entity (collectively 'RPS'), no other party may use, make use of, or rely on the contents of this report. The report has been compiled using the resources agreed with the client and in accordance with the scope of work agreed with the client. No liability is accepted by RPS for any use of this report, other than the purpose for which it was prepared. The report does not account for any changes relating to the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report. RPS does not accept any responsibility or liability for loss whatsoever to any third party caused by, related to or arising out of any use or reliance on the report.

RPS accepts no responsibility for any documents or information supplied to RPS by others and no legal liability arising from the use by others of opinions or data contained in this report. It is expressly stated that no independent verification of any documents or information supplied by others has been made. RPS has used reasonable skill, care and diligence in compiling this report and no warranty is provided as to the report's accuracy. No part of this report may be copied or reproduced, by any means, without the prior written consent of RPS.

Prepared for:

Britanniacrest Recycling Ltd

Prepared by:

RPS

Tim Oliver
Associate Director
260 Park Avenue
Almondsbury
Bristol
BS32 4SY
T +44 1454 853 000
E tim.oliver@rpsgroup.com

Contents

1	INTRODUCTION	1
1.1	Purpose and scope of this report	1
2	CONSIDERATION OF BIRD STRIKE RISK	2
3	MANAGEMENT MEASURES.....	3
3.1	Building Design	3
3.2	Site Management	3
3.3	Monitoring Programme.....	3
3.4	Remedial Actions	4
3.5	Control Under Licence	4
	Species Protection	5
3.6	Site Management Responsibilities	5
3.7	Review of the Management Plan	5
3.8	Inspection and Site Access	6
	REFERENCES	7

Example Monitoring Log

Table 1	Log of Monitoring Visits
Table 2	Log of Bird Activity associated with the building
Table 3	Log of Implemented Control Measures

1 INTRODUCTION

1.1 Purpose and scope of this report

- 1.1.1 RPS was commissioned by Britaniacrest Recycling Ltd to prepare a Bird Hazard Management Plan for the permitted residual waste management facility at the former Wealden Brickworks near Horsham in Sussex:
- Appeal Ref: APP/P3800/W/18/3218965
 - Former Wealden Brickworks, Langhurstwood Road, Horsham, West Sussex, RH12 4QD
- 1.1.2 This report defines the measures that will be employed during the operation of the site to deter birds from gathering on the roofs of the proposed development, in the interests of aircraft safety with Gatwick airport located in the vicinity of the development.
- 1.1.3 Planning condition 6 requires a Bird Hazard Management Plan to be prepared for the new development and building because of the potential for the development to result in an increase in strike risk associated with aircraft using Gatwick airport.
- 1.1.4 Condition 6 requires that:
- “Prior to the commencement of the development hereby permitted, a Bird Hazard Management Plan shall be submitted to and approved in writing by the County Planning Authority. The submitted Plan shall include details of the management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting or ‘loafing’ birds. The Bird Hazard Management Plan shall be implemented as approved upon completion of each of the roofs and shall remain in force for the life of the buildings.”*
- 1.1.5 This bird management plan provides summary details on the building structure and sets out the additional measures which will be taken during the operation of the development to reduce the potential for an increase in bird activity associated with the new building.
- 1.1.6 The building design and potential issues have been assessed in the context of the guidelines set out in the Government ODPM Circular 1/2003 and “CAP 772 – Birdstrike Risk Management for Aerodromes” produced by the Civil Aviation Authority in 2008.
- 1.1.7 The specific objective is to reduce bird strike risk to the lowest practical level. This will be achieved by the following process:
- Identify hazards
 - Evaluate management options
 - Develop strategies to manage risk
- 1.1.8 Selected management options would be targeted at making the conditions on the building less attractive to bird species that present the highest risks of bird strike (gulls and feral pigeons).

2 CONSIDERATION OF BIRD STRIKE RISK

- 2.1.1 The main potential issues that would increase the risk of bird strike at the site relate to gulls nesting or roosting on large flat or shallow-pitched roofs. Other potential bird strike issues could arise from feral pigeons nesting or roosting on the building, or the use of the location by a flock of starlings.
- 2.1.2 The risk primarily relates to the use of the roofs of the new buildings by bird species, primarily gulls. During the breeding season, gulls of all species may be found nesting on rooftops of buildings. Herring gulls most commonly nest on roofs of houses and industrial buildings while lesser black-backed gulls also frequently nest of larger flat roofs associated with industrial or commercial buildings.
- 2.1.3 Flat and shallow sloping roofs are typically used by on more steeply sloping roofs, nests can be lodged behind vents, skylights, or in gullies. Numbers of roof-nesting gulls are still increasing but the overall UK population of herring gulls has declined significantly around the coastline and consequently this species is formally listed as a red list species of high conservation concern. The UK population of lesser black-backed gulls is also declining due to changes on population in coastal habitats.
- 2.1.4 Large numbers of gulls will remain inland throughout the year and large numbers can congregate outside of the breeding season.
- 2.1.5 Gulls take advantage of rubbish, litter and waste food. Discarded food and accessible rubbish are readily available in urban areas and can provide an abundant food resource close to nesting opportunities on roofs.
- 2.1.6 The gulls will move between their breeding sites, roosting sites, and feeding sites and will travel significant distances with herring gulls known to forage up to 10km of their nests. Gulls feed predominantly on soil invertebrates on farmland, and playing fields with short grass, and sewage works but can be found scavenging on waste at landfill sites. When not feeding, flocks may spend long periods on open undisturbed sites.

3 MANAGEMENT MEASURES

3.1 Building Design

- 3.1.1 The industrial buildings will have a series of flat roofs of different sizes. Where there are raised features on the roof, these will be designed to avoid creating spaces where nests could be supported by such roof features, however the potential for the shallow pitches to be used by nesting gulls will remain.
- 3.1.2 The building has been designed to deter birds from regularly entering internal spaces where they could nest or roost. Where appropriate, mechanisms will be employed to deter nesting and roosting through making any internal ledges undesirable (such as the use of spikes) and where appropriate the use of self-closing doors and plastic strip curtains or equivalent for large entrance spaces. The buildings specifically do not have ledges beneath overhangs or external protrusions that would encourage nesting of some species including feral pigeon.
- 3.1.3 Feral pigeons are most often associated with disused buildings and the levels of day to day activity in and around the building are also a likely deterrent to the establishment of a feral pigeon roost.

3.2 Site Management

- 3.2.1 The site will be managed so that its is less attractive to gulls through the following broad actions:
- Ensuring there is no organic waste accessible to birds within the development;
 - Deter littering, undertake weekly litter collection and removal from across the site;
 - Providing appropriate waste containers and ensure that waste facilities are kept clean and tidy; and
 - Ban the deliberate feeding of birds on site.

3.3 Monitoring Programme

- 3.3.1 The presence /absence of nesting and roosting gulls will be subject to regular monitoring in order to formally record the level of bird activity associated with the development. Following completion of the development, bird activity monitoring will be undertaken weekly from the start of March to the end of June. Outside of the breeding seasons inspections will be carried out on a regular basis as dictated by bird activity.
- 3.3.2 All inspections and monitoring will record the species and numbers of birds which will be concisely documented in a log of bird activity (and any actions taken). The log will be updated after each monitoring survey.
- 3.3.3 The general attractiveness of the building to different bird species will be fully reviewed during the first year. The weekly inspections will disperse any gulls on the roofs of the building and should prevent habitual use of the roofs following the construction of the building.
- 3.3.4 The key objective of the monitoring will be to identify potential issues as early as possible and inform which remedial measures need to be adopted should use of the birds require deterrent or control measures.
- 3.3.5 The weekly inspections should prevent gulls getting habituated to the use of the roofs following the construction of the building
- 3.3.6 Where nesting is confirmed, deterrent, dispersal and/or control measures will be implemented to seek to prevent habituation. Less than three nesting pairs would not be considered to pose a significant collision risk, while the risk will increase with a larger colony or roost.

3.3.7 For nesting deterrents, the measures may need to be implemented after the young birds have fledged and dispersed from the site.

3.4 Remedial Actions

3.4.1 The operator will seek to avoid or control problems through the implementation of preventative measures. Options would be reviewed in the context of the species, number of birds, position on the building and activity.

3.4.2 Methods to deter wild birds that do not require a licence include:

- Dispersal of any gulls from roofs during the weekly inspections in the breeding season and periodic inspections at other times of year;
- Visual deterrents;
- Human disturbance;
- Modification of loafing and/or roosting areas;
- Habitat management, and
- Auditory scaring;

3.4.3 Where practical, physical modifications would be adopted including the installation of spikes and / or the use of netting with an appropriate mesh size. The latter option will only be possible where it can be robustly secured and checked on a daily basis to ensure that there are no gaps through which small birds could become trapped.

3.4.4 The shallow pitched roofs are accessible in case it becomes necessary to take action against nesting gulls should pairs try to nest on the roof of the building. For example, should a flock of gulls start use the building for loafing and/or roosting areas, gull spikes would be installed around the roof edges and on the gutters to make these locations much less attractive to birds and encourage the flock to disperse.

3.4.5 Auditory scaring would only be employed when all other practical deterrents have been employed and proved unsuccessful. Where auditory scaring is used it would be employed during working hours and would be specifically directed towards roof areas. The procedure would be designed to avoid the scaring being audible at elevated levels off-site to minimise inadvertent adverse effects.

3.4.6 Specialist advice will be sought before taking action against breeding gulls or persistent roosting gulls where preventative techniques have proved ineffective. Control measures following the establishment of other large roosts such as feral pigeons or starlings will also need specialist advice.

3.4.7 Where a problem has not been resolved through all practical preventative measures than alternative bird control measures would be adopted subject to the granting of a Natural England licence.

3.5 Control Under Licence

3.5.1 Should the remedial deterrents and controls not be successful in preventing the establishment of a gull roost or breeding colony then alternative options will be considered.

3.5.2 All wild birds and their nests and eggs are afforded protection under the Wildlife and Countryside Act 1981, as updated by the Countryside and Rights of Way Act 2000. Under this legislation it is an offence 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; and
- intentionally take or destroy the egg of any wild bird.

- 3.5.3 Therefore all species of birds, including potential pest species, receive general protection under this legislation.
- 3.5.4 If a bird species is causing a definable problem for air safety through the potential for bird strike, a licence would be sought from Natural England specific to the site and relevant species.
- 3.5.5 An individual licence or class licence can be applied for the control of herring gulls and lesser black-backed gulls where there is a confirmed significant bird strike risk. Potential control measures when there are elevated numbers of nesting gulls include egg-oiling or nest destruction. Gulls will re-lay eggs or rebuild a nest if they have been destroyed (removed, oiled or pricked) under the permitted licence. Therefore monthly visits would be undertaken between April and August to ensure breeding attempts are not successful.
- 3.5.6 The killing of urban gulls under licence is a last resort, which would only be appropriate where there is a significant risk. As a species of high conservation concern with a declining population, the killing of herring gulls would be avoided wherever possible.

Species Protection

- 3.5.7 In the event that a gull chick is found on the ground, then good practice measures will be adopted. An uninjured chick would be left undisturbed where it is in the care of its own parents. If the chick is in an active working area and is in danger, it could be moved a short distance to a safer place, being aware that the parents may try to protect the chick. All injured gulls will be reported to the RSPCA.

3.6 Site Management Responsibilities

- 3.6.1 The site operator will be ultimately responsible for the full implementation of this plan, early identification of potential issues and the implementation of appropriate remedial measures. The plan will be incorporated into the site Environmental Management System (EMS) and implemented accordingly. The EMS will require a suitably trained person to manage the plan, which will be audited in accordance with the EMS.
- 3.6.2 This role will include management of the monitoring, ensuring the maintenance of deterrents and control activities, analysing the monitoring data, identifying risks, and implementing appropriate remedial measures ideally as pre-emptive action.
- 3.6.3 The named individual will be responsible for maintaining a complete monitoring log documenting each survey and findings. The log will be made available for inspection by the LPA and Gatwick Airport Airfield Operations.
- 3.6.4 The operator will draw upon the support of specialist consultants and contractors to support this process where needed.
- 3.6.5 All actions and activities associated with the Bird Hazard Management Plan will be fully funded by the site owner and/or operator over the lifetime of the development.

3.7 Review of the Management Plan

- 3.7.1 The management plan shall be subject to review to reflect changes in habitat or populations of bird species.
- 3.7.2 Should the airport deem it necessary, a meeting between Gatwick Airport Limited, the applicant and/or West Sussex County Council will be convened at the earliest opportunity to discuss and agree any changes which may be necessary.

3.8 Inspection and Site Access

- 3.8.1 Gatwick Airport Limited or their nominated representatives will be allowed access to the site by prior arrangement, to evaluate the success of the Management Plan and to review any remaining birdstrike hazard.

3.9 Long Term Management

- 3.9.1 This Management Plan will remain enforceable by West Sussex County Council, Gatwick Airport Limited, the CAA or any successor to these bodies throughout the existence of the buildings. These obligations will be passed to any subsequent owners/operators of these buildings and land.

REFERENCES

Civil Aviation Authority (2008) Government ODPM Circular 1/2003 and “CAP 772 – Birdstrike Risk Management for Aerodromes

LOG OF BIRD MONITORING AND CONTROL MEASURES

1. Log of Monitoring Visits

Year / Monitoring Visit Number	Date of survey	Surveyor (Print Name)	Job Title	Company	Signature
--------------------------------	----------------	-----------------------	-----------	---------	-----------

3. Log of Remedial Deterrant and Control Measures

Date	Location / Roof Section	Issue	Measure undertaken and specification	Photograph evidence of completed measures (Y/N)	Date of work completed	Signature	Print Name