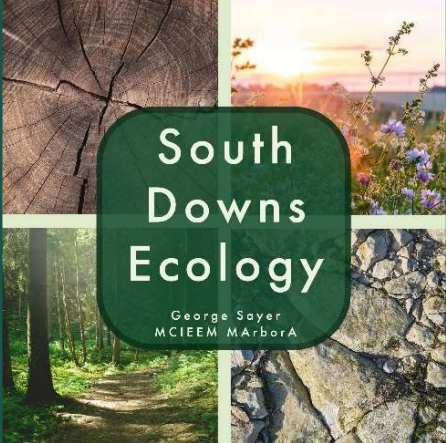


**Bat Activity Survey  
Update**

**Premier Inn, Cathedral  
Business Park  
Chichester**



**South  
Downs  
Ecology**

George Sayer  
MCIEEM MArborA

# Update Bat Activity Survey

Premier Inn, Cathedral Business Park, Chichester

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## Contents

|      |                                                 |    |
|------|-------------------------------------------------|----|
| 1.0  | Introduction .....                              | 4  |
| 2.0  | Scope of Appraisal.....                         | 5  |
| 3.0  | Planning Policy and Legislation .....           | 6  |
| 4.0  | Methodology.....                                | 8  |
| 5.0  | Protected Species Assessment.....               | 11 |
| 6.0  | Protected Species Assessment.....               | 12 |
| 7.0  | Evaluation of Impacts and Mitigation.....       | 14 |
| 8.0  | Ecological Enhancements.....                    | 16 |
| 9.0  | Conclusions .....                               | 16 |
| 10.0 | References .....                                | 17 |
| 11.0 | Figure No. 01 - Bat Activity Survey Points..... | 18 |

## Summary

Premier Inn Hotels Ltd have commissioned an update Bat Activity Survey of proposals for a new hotel on land formerly used as a fuel depot in Bognor Road, Chichester, West Sussex (SU 87873 04213, hereafter referred to as 'the site'). An update Bat Activity Survey of the site was carried out on the 21<sup>st</sup> August 2023. The survey is an update to an original update Ecological Impact Assessment (Reference: 201901/02) carried out in August 2018 by Castle Hill Ecology and the Original Phase 1 Report, Bat Activity Survey and Bat Mitigation Strategy forming part of the 2014 outline application.

The proposal area originally formed the south-west corner of a fuel depot site, of improved grassland. The site now consists of bare ground prepared for construction and an access road to the site forming part of the Cathedral Business Park.

The Bat Activity Revealed very low levels of bat activity, by noctule, common and soprano pipistrelle bat, none of which are qualifying features of the Singleton and Cocking Tunnels SAC. These results mirror those undertaken pre-commencement in 2015 by Ecosupport which found the same species using the site and are similar to the survey findings of Castle Hill Ecology in 2018. The site is surrounded by major, well-lit roads which likely makes it difficult for bats to reach and of low value for foraging. The static detector recorded a further species of Daubenton's bat, and slightly higher levels of activity later in the night, but the data suggests these were distant from the proposal site and did not suggest a regular commuting route for large numbers of bats.

The proposals are highly unlikely to have any impact upon bats.

A separate Report to Inform a Habitats Regulation Assessed accompanies this report, detailing the consideration of potential impacts to the Singleton and Cocking Tunnels SAC in accordance with current guidance (SDNPA 2018). This report identifies that a significant effect is unlikely, alone or in combination with other proposals. As such the discharge of conditions and development can proceed lawfully.

## 1.0 Introduction

- 1.1 Premier Inn Hotels Ltd have commissioned an update Bat Activity Survey of proposals for a new hotel on land formerly used as a fuel depot in Bognor Road, Chichester, West Sussex (SU 87873 04213, hereafter referred to as 'the site'). An update Bat Activity Survey of the site was carried out on the 21st August 2023. The survey is an update to an original update Ecological Impact Assessment (Reference: 201901/02) carried out in August 2018 by Castle Hill Ecology and the Original Phase 1 Report, Bat Activity Survey and Bat Mitigation Strategy forming part of the 2014 outline application.
- 1.2 The site survey and following ecological impact assessment report has been completed by George Sayer (*BSc (Hons) Environmental Sciences, PgDip Endangered Species Recovery, MArborA, MCIEEM, NE Licence Holder – Bats Level 2 and GCN - Ecologist*). This appraisal consisted of a site visit to identify existing habitats on site; the habitats have been categorised broadly following the UK Habitats Classification Guidance V2.0 (*UKHab Ltd 2023*). In addition, an assessment of habitats on the site was made to determine their potential for protected species. Following this an on-site and desktop assessment was undertaken, of the likelihood of National or European Protected Species being present on or near site, and the constraints these may pose on the development proposals.
- 1.3 Based on the results of the appraisal, recommendations for potential ecological enhancements have been provided.

### Site Description and Surrounding Area

- 1.4 The site is an approximate square of land of 0.465 Ha, between the A27 to west, A259 to south, railway line to north and a commercial park to the east. The boundary to west contains scrub and trees; the frontage to south is recently redeveloped into a new access with some grassland and tree planting. The majority of the site consists of bare ground. The site forms part of a wider development known as Cathedral Business Park which has outline approval. A builders' merchants has been completed to the north with other buildings underway.
- 1.5 The site is on the fringe of the urban area of Chichester. The wider surroundings include an area of open ground to the north with several gravel pit lakes; arable land to the south; the built-up area of Chichester to the west and further lakes beyond the commercial park to the east.

### Proposals

- 1.6 The proposals are for construction of a new Premier Inn hotel on the site; the proposal has outline approval and this application is for reserved matters. This would consist of an L-shaped building with access and parking running round the eastern boundary from the north-east corner, to the south-eastern corner and round to the west where a carpark is proposed. A deliveries area is proposed to the north. The proposal is accompanied by landscape proposals of native tree, hedge and thicket planting and ornamental planting.

## **2.0 Scope of Appraisal**

- 1. Identify the habitats and vegetation on site and confirm any changes from previous surveys;*
- 2. Identify habitat which may have potential for protected species;*
- 3. Identify whether any signs of protected species are present on-site;*
- 4. Recommend whether further surveys are required, or whether there are any relevant constraints with regards to protected species which have yet to be resolved.*

2.1 This appraisal and assessment is deemed to be relevant for a maximum of 18 months due to the possibility of changes in the habitats on-site. Should the site or proposals alter, the ecologist should be consulted to confirm that the appraisal is still valid.

### 3.0 Planning Policy and Legislation

#### National Planning Policy

- 3.1 The National Planning Policy Framework (NPPF) 2023 sets out the government planning policies for England and how they should be applied. 'Chapter 15: Conserving and Enhancing the Natural Environment' states that development should be 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'
- 3.2 The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

#### Local Planning Policy

- 3.3 The site is within the Chichester District; the Chichester Local Plan 2021 – 2039 is currently at Regulation 19 and as such, proposals shall be assessed against the currently adopted *Chichester District Local Plan – Key Policies 2014-2029*. Relevant policies to the site, as detailed within the original report, include Policies 40 (Sustainable Design and Construction), Policy 49 (Biodiversity) and Policy 52 (Green Infrastructure).
- 3.4 The emerging Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) includes the following policies; these should also be given appropriate consideration.
- *Policy NE4 Strategic Wildlife Corridors*
  - *Policy NE5 Biodiversity and Biodiversity Net Gain*
  - *Policy NE6 Chichester's Internationally and Nationally Designated Habitats*
  - *Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat*
  - *Policy NE8 Trees, Hedgerows and Woodlands*
- 3.5 The site at its closest point is 9.85 km south of the Singleton and Cocking Tunnels. The adjacent South Downs National Park Authority issued a Technical Advice Note regarding this site and the other 'Bat SACs' within its jurisdiction (namely Ebernoe Common SAC and The Mens SAC) in 2018. The guidelines determine that, in order to ensure no Likely Significant Effect upon bats which are a qualifying feature of the SACs, within 6.5 km of the sites, all impacts upon bats must be assessed. Within 12.0 km of the sites, significant impacts upon bats and severance of flightlines must be assessed.
- 3.6 A recent court judgement (*CG Fry v SoS and Somerset Council High Court issued 30 June 2023*), has come into effect which affects Councils nationwide in terms of Habitat Regulations Assessments. This case law has implications for the procedures relating to discharge of conditions applications.

Legislation

3.7 Legislation relating to wildlife and biodiversity of particular relevance to this EclA includes:

- The Conservation of Habitats and Species Regulations 2017;
- The Wildlife and Countryside Act 1981 (as amended);

3.8 All species of bat and their roosts are protected under The Conservation of Habitats and Species Regulations 2017 and The Wildlife and Countryside Act 1981. It is an offence to intentionally kill, injure or handle a bat, to possess a bat (live or dead), disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

## 4.0 Methodology

### Desktop Study

- 4.1 Given the previous work that has been undertaken, further desktop study has been limited to the relevant sites (in this case Singleton and Cocking Tunnels SAC). The original appraisal of designated sites and impacts thereon is available within the original Impact Assessment. No significant changes to designated sites have occurred in the intervening period other than the guidance regarding impacts to the Bat SACs.
- 4.2 A review of the previous 2014 Bat Mitigation Strategy and 2019 Ecological Impact Assessment has been undertaken to assess any likely changes to the site or potential for impacts.

### Bat Activity Survey

- 4.3 Bat surveys were undertaken broadly following guidance published in the most current Guidance document at the time (BCT, 2016). A Bat Activity Survey was undertaken on 21<sup>st</sup> August 2023 by an experienced, licenced bat surveyor (George Sayer 2018-34434-CLS). Weather conditions were optimal (start: 18 degrees, end: 17 degrees, wind force 1, 4/8 cloud). The entire wider site of Cathedral Business Park was crossed several times, with static recording points (refer to Figure No. 01) of c.5 minutes during which all species and activity were recorded. The initial survey point lasted 20 minutes to pick up any possible emergence from the poplar tree to north-east. Static recording point 7 is within the application site. Recordings were also made when walking between survey points, which in some instances took several minutes due to security and compound fencing. The survey started at sunset (c.20:16) and lasted for 2 hours. Table No. 01 Details the Survey Point Times below:

*Table No. 01 – Survey Point Times*

| Survey Point | Time          |
|--------------|---------------|
| 1            | 20:20 - 20:40 |
| 2            | 20:40 - 20:45 |
| 3            | 20:45 - 20:50 |
| 4            | 20:50 - 21:00 |
| 5            | 21:08 - 21:13 |
| 6            | 21:14 - 21:19 |
| 7            | 21:20 - 21:25 |
| 8            | 21:28 - 21:33 |
| 9            | 21:36 - 21:42 |
| 10           | 21:45 - 21:50 |
| 11           | 21:52 - 21:57 |
| 12           | 21:59 - 22:04 |
| 13           | 22:04 - 22:09 |
| 14           | 22:10 - 22:15 |
| 15           | 22:15 - 22:20 |



#### Static Bat Detector Deployment

- 4.4 A Wildlife Acoustics Songmeter MiniBat was deployed on 21st August which recorded bat activity for the entire night of the 21st, on the northern boundary of the wider Cathedral Business Park site (refer to Figure No. 01). The detector was set to record all sounds above 16kHz from 30 minutes before sunset until 30 minutes after. Call analysis was undertaken using Kaleidoscope Viewer. The number of passes (defined as at least one clearly defined call, within each 10 second recording) was counted and an average number of passes per hour calculated.

#### Ecological Impact Assessment

- 4.5 The methodology for Ecological Impact Assessment (EclA) follows best practice guidelines set by the Chartered Institute of Ecology & Environmental Management (CIEEM): 'Guidelines for Ecological Impact Assessment' (CIEEM, 2018). This includes identifying the baseline conditions on the site and subsequently rating the potential effects of the development based on the sensitivity and value of the resource affected, combined with the magnitude, duration and scale of the impact (or change). This is initially assessed without mitigation measures, and then assessed again after allowing for the proposed mitigation measures; this provides the residual effects. The assessment is divided into construction effects and longer-term operational effects.
- 4.6 Each ecological feature within the site has been considered within a defined Geographic context such as:
- International and European;
  - National;
  - Regional;
  - County;
  - District;
  - Local;
  - Site Level;
  - Negligible.

- 4.7 Based upon CIEEM guidance, value was determined with reference to the following factors:
- Its inclusion as a Designated Site or other protected area;
  - The presence of habitat types of conservation significance, e.g. Habitats of Principal Importance (NERC 2006);
  - The presence (or potential presence) of species of conservation significance e.g. Species of Principal Importance (NERC 2006);
  - The presence of other protected species e.g. those protected under The Wildlife and Countryside Act 1981;
  - The site's social and economic value.
- 4.8 In this case further impacts are only related to potential for impacts upon Singleton and Cocking Tunnels and as such have been limited to significant impacts upon bats and specifically those species for which the site is designated.
- 4.9 Specifically in the case of bats, the impact assessment has been conducted in accordance with the recently published Bat Mitigation Guidelines (Reason and Wray 2023).

## 5.0 Designated Sites and Habitats Assessment

### Desktop Study

#### *Designated Sites and Habitats*

- 5.1 The following is not a full summary of all protected and notable wildlife sites, but rather an addendum with any updated information since the original 2019 Ecological Impact Assessment.
- 5.2 This information is included so that the site can be considered within the ecological context of the surrounding area, guiding decisions related to habitat change and protected species; these sites are not necessarily representative of the habitat on or surrounding the site and may not be influenced by the proposals.
- 5.3 The only change to designated sites legislation and guidance is the addition of the larger 6.5 km and 12.0 km buffers to the South Downs National Park 'Bat SACs' (*namely Singleton and Cocking Tunnels SAC, Ebernoe Common SAC and The Mens SAC*). The site is outside the 6.5 km Key Conservation Area, within which all impacts upon bats must be considered in the context of a potential significant effect upon the sites. The site is 9.7km from Singleton and Cocking Tunnels SAC and therefore within 12.0 km and the Wider Conservation Area, within which significant impacts upon bats and severance of flightlines must be considered in the context of a potential significant effect upon the sites.

## 6.0 Protected Species Assessment

### Bats

#### *Desk Study*

- 6.1 Previous survey work was undertaken at the site by Ecosupport (2015); Castle Hill Ecology (2018) which found low levels of commuting and foraging activity by noctule, common pipistrelle, soprano pipistrelle, and Nathusius' pipistrelle. No roosts were found on site and the buildings are no longer present. Surveys were mainly focused on the buildings but recorded incidental bats using the wider site.
- 6.2 The site is not listed as part of the Chichester District Council Bat Movement Network; the treelined cycle way on the opposite side of the A259 is listed; however this is separated from the site by the well-lit dual carriageway.
- 6.3 A review of bat tracking data (Chichester District Council 2021) has recorded individual ringed Barbastelle bats commuting from the Goodwood Barbastelle colony, over the A27, south along Drayton Lane towards floodplain habitats further south. They do not appear to travel west towards the site.

#### *Site Assessment*

- 6.4 A single mature poplar tree was present c.200m off site to the north-east corner; this was conferred 'low' bat roost potential. The bat activity survey determined it was highly unlikely any bat roost was present.
- 6.5 The site itself is largely bare and open and as such of no significant value to bats. The off-site treelines and railway line further north are still suitable for foraging and commuting bats, albeit the western boundary is heavily lit by the A27. Vegetation along the southern boundary has been removed and new planting is yet to establish. The site is largely well lit by either the A27 or A259.

### Bat Activity Survey

- 6.6 The bat activity survey recorded a total of 11no. noctule passes, 1no. common pipistrelle passes and 3no. soprano pipistrelle passes. This was considered very low levels of activity consistent with individual bats passing over the site, and occasional foraging high up by a single noctule bat. A summary of results is presented below:

Table No. 02 – Bat Activity Survey Results

| Time  | Survey Point            | Species             | Seen/Heard     | Notes                                      |
|-------|-------------------------|---------------------|----------------|--------------------------------------------|
| 20:35 | 1                       | Noctule             | Heard          | North east corner, 6 passes                |
| 20:38 | 1                       | Noctule             | Heard          | 1 pass to north east corner                |
| 20:41 | 2                       | Noctule             | Seen and Heard | Foraged over north east corner             |
| 20:45 | 3                       | Noctule             | Heard          | Over north                                 |
| 20:46 | 3                       | Common Pipistrelle  | Heard          | Over north                                 |
| 21:02 | Walking Between 4 and 5 | Noctule             | Heard          | Heard over centre of site                  |
| 21:28 | 8                       | Noctule             | Heard          | South east corner                          |
| 21:36 | 9                       | Soprano Pipistrelle | Seen and Heard | Commuting along middle of eastern boundary |
| 21:54 | 11                      | Soprano Pipistrelle | Heard          | Commuting over north east corner           |
| 22:10 | Walking to 14           | Soprano Pipistrelle | Heard          | Faint call to south boundary               |

### Static Data Collection

- 6.7 The static bat detector recorded a total of 47no. noctule or Leisler's passes, 57no. common pipistrelle passes, 22no. soprano pipistrelle passes and 6no. Myotis passes, determined to be Daubenton's bats. This was considered a higher level of activity than recorded on other surveys, but still consistent with individual bats, likely commuting along the vegetation just north of the railway line, c.130.0 m off-site, and occasional foraging high up by a single noctule bat. Over the night an average of 12 calls per hour were recorded, or one every 5 minutes. A summary of results is presented below:

Table No. 03 – Static Bat Detector Results

| Species             | Total Passes | Passes Per Hour |
|---------------------|--------------|-----------------|
| Daubenton's Bat     | 6            | 0.56            |
| Common Pipistrelle  | 57           | 5.29            |
| Soprano Pipistrelle | 22           | 2.04            |
| Noctule/Leisler's   | 47           | 4.36            |
| <b>Total</b>        | <b>132</b>   | <b>12.24</b>    |

## 7.0 Evaluation of Impacts and Mitigation

### Designated Sites

#### *Potential Impacts*

- 7.1 The site is within the 12.0 km Wider Conservation Area of the Singleton and Cocking Tunnels SAC. Any significant impacts or severance of flightlines within 12.0 km of the site would constitute a likely significant effect upon the SAC as a result of disturbance of the bats which form the qualifying features.
- 7.2 The site has always been largely devoid of significant vegetation other than grass; the results of the bat activity survey, whilst only a 'snapshot' of a single evening, prove that impacts upon the qualifying features of the SDNP Bat SACs (namely Bechstein's and Barbastelle bats) is highly unlikely, with these not having been recorded on site in 2015, 2018 nor 2023.
- 7.3 Whilst species which hibernate at the SAC were recorded (such as Daubenton's bats) in low numbers, these were recorded on the far north boundary of the wider Cathedral Business Park site, c.130.0 m north and are likely foraging and commuting along the dense scrub boundary, north of the railway line. As such the flightlines are protected by the 15.0 m wide railway line from any impacts of the wider site, and are over 130.0 m from the proposal site, which would be sufficient to attenuate impacts even from relatively large lighting proposals or tall buildings.

#### *Mitigation and Compensation*

- 7.4 None required.

#### *Residual Impacts*

- 7.5 The impacts will be negligible and non-significant. No likely significant effect would occur.

## Bats

### *Potential Impacts*

- 7.6 A single tree offers 'low' bat roost potential; however, the tree is off-site, not impacted by proposals and survey results suggest no roost is present.
- 7.7 Inappropriate lighting represents a minimal impact upon bats on the site, given the already very low levels of activity and high light levels from the adjacent A27 and A259. Impacts would be extremely minor at the site level, largely affecting a single noctule. The impacts on bats off-site to the north would also be negligible, with a 15.0 m wide railway line isolating the bats from any lighting, and the site itself being c.130m from the railway line. Solar PV is proposed to the roof but this would have no impact on bats.

### *Mitigation and Compensation*

- 7.8 Where possible new lighting shall accord with BCT/ILP Guidance Note 08/23. The nearest elevation to any vegetation is the north-westernmost section; as shown in the elevation drawings, on this aspect there are no windows, only an opening for the escape stairwell. As such there would be no indirect lightspill from windows. There would likely be some low-level lighting such as emergency lighting but this would have no impact over and above the existing levels of light on and adjacent the site.

### *Residual Impacts*

- 7.9 The overall impact of the scheme will be negligible.

## **8.0 Ecological Enhancements**

- 8.1 No change in the requirement for, or proposal of ecological enhancements is considered necessary. A landscape plan accompanies the application detailing the proposed planting of native trees, hedge and a thicket to the boundaries. These would significantly increase the bat foraging resource on the site.
- 8.2 In accordance with the original Castle Hill Ecological Recommendations, no bat or bird boxes have been proposed as this might increase mortality risk. Birds are likely to nest in the vegetation in any case, and it is unlikely the site would ever be of significant suitability for roosting bats. As such this is considered proportionate.

## **9.0 Conclusions**

- 9.1 Overall, the proposals are considered to represent a 'negligible' impact upon ecology and no further surveys are recommended. The proposal area consists almost entirely of unvegetated ground upon which a hotel development is proposed.
- 9.2 No significant changes to the site's value or its potential to protected species of bat has been identified. A further species of Daubenton's bat has been identified during static detector survey but this is likely to be commuting rarely along the boundary well off-site to the north, and would not be impacted by proposals.
- 9.3 The proposals would not negatively impact upon bats or the Singleton and Cocking Tunnels SAC, as detailed within the accompanying Information to Inform a Habitats Regulations Assessment Document. As such the Discharge of Conditions and the Proposals can proceed lawfully.



## 10.0 References

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### 11.0 Figure No. 01 - Bat Activity Survey Points

