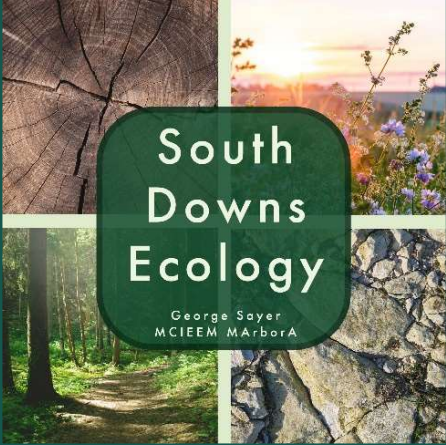


**Bat Activity Survey
Update**

**Cathedral Business
Park, Chichester**



**South
Downs
Ecology**

George Sayer
MCIEEM MARBORA

Update Bat Activity Survey

Cathedral Business Park, Chichester

Version 2 – 8th March 2024

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Summary

The applicant has commissioned an update Bat Activity Survey of proposals for new commercial development on land formerly used as a fuel depot in Bognor Road, Chichester, West Sussex (SU 87934 04268, 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.

The proposal area originally formed a fuel depot site, of improved grassland. The site now consists of areas of grassland, with the majority of the site being either bare ground under construction of the mixed site, or developed land and buildings of the completed aspects. This report is provided to inform the Reserved Matter applications being submitted pursuant to Condition 2 of application no. O/23/02329/OUT.

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 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 The applicant has commissioned an update Bat Activity Survey of proposals for new mixed development on land formerly used as a fuel depot in Bognor Road, Chichester, West Sussex (SU 87934 04268, 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. This report is provided to inform the Reserved Matter applications being submitted pursuant to Condition 2 of application no. O/23/02329/OUT.
- 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 a rectangle of land, 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, grassland, with a new builder's merchant, and commercial building under construction on the rear part of the site.
- 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 as described. This report is provided to inform the Reserved Matter applications being submitted pursuant to Condition 2 of application no. O/23/02329/OUT."

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*.
- 3.4 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).
- 3.5 The site at its closest point is 9.7 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);

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 A Bat Activity Survey was undertaken on 21st 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 site 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. 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 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. 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 Protected Species 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 closest Reserved Matter application is 9.8km 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 at least 75.0 m 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 areas themselves are largely bare and open and as such of no significant value to bats. The wider site treelines and railway line are still suitable for foraging and commuting bats, but the treelines are isolated from the reserved matters applications by at least 75.0 m of other development land. Vegetation along the southern boundary has been removed and new planting is yet to establish. The site is largely well lit by the A259 especially.

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 (75.0 m from the nearest Reserved Matters applications), 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
Total	132	12.24

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 and are likely foraging and commuting along the dense scrub boundary, north of the railway line and at least 75.0 m from the nearest Reserved Matters application. As such the flightlines are protected by the 15.0 m wide railway line and 75.0 m of development land from any impacts, which would be more than sufficient to attenuate impacts even from relatively large lights.

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 at least 75.0 m 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, distance from any vegetation 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 low, with a 15.0 m wide railway line and 75.0 m of other developments isolating the bats from any lighting, which would be sufficient to attenuate impacts even from relatively large lights.

Mitigation and Compensation

- 7.8 Where possible new lighting shall accord with BCT/ILP Guidance Note 08/23. The need for lighting controls and limitation shall be proportionate to the location and the uses of each development.

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.

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 areas consist almost entirely of unvegetated ground and grassland upon which a mixed development is being constructed.
- 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 railway boundary over 75.0 m 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

- Bat Conservation Trust (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines. Third Edition. Available online: <http://www.bats.org.uk/pages/batsurveyguide.html>
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11.0 Figure No. 01 - Bat Activity Survey Points



