

**App No:** AL/129/18/OUT

**Address:** Land East of Orchard Gardens Woodgate Chichester

**Proposal:** Outline application with some matters reserved for the development of 55 No. units with public open space & affordable housing (resubmission following AL/111/16/OUT).

### **Reptiles**

The Preliminary Ecological Appraisal (by Arbtech) assessed that development on this site may cause *'loss of habitat and possible harm to reptiles. The habitat onsite represents good foraging areas, basking areas and refugia for reptiles. The long unmanaged grass and scrub with the wooded tree line create a mosaic of habitats that offer a range of foraging and shelter potential. Adjacent woodland and grass to the north provides further habitat. The site is linked to the wider habitat by tree lines and gardens. There are records of slow worms, grass snakes, adders and common lizards within a 2km radius of the site'*. As the survey detailed and as we have stated within our previous consultation responses for the previous application AL/111/16/OUT, we require that a full reptile survey was undertaken by a suitably qualified ecologist to determine the presence and population size of the reptiles onsite and this would be used to inform the creation of a mitigation strategy.

We are very disappointed to see that the site was completely cleared in November 2016, then again in October 2017 and again in October 2018 destroying the reptile habitat onsite and also potentially killing any reptiles on the site which would have been hibernating at the time meaning they would have not be able to move out the way of the clearance. This means there is a high likelihood that the Wildlife and Countryside Act 191 (as amended) was broken because the act stipulates that it is an offence to intentionally or deliberately kill or injure reptiles, and an offence to damage, destroy or obstruct access to reptile habitat.

Due to this destruction of habitat the subsequent reptile mitigation plan by Arbtech (March 2017) states that the sites suitability for reptiles has been greatly reduced and due to the clearance of the site, full reptile surveys are no longer appropriate.

A Reptile Mitigation Principles Report (Nov 2018) has been submitted, however there is no information regarding who has carried this out. Please can we have the following details - who undertook this assessment and wrote the report, the company they work for and there membership status within the CIEEM. Due to the lack of survey data now available for the site, the good records of retiles within close proximity to the site and following Natural England's guidance we also require that the mitigation strategy assumes there is a good population of reptile's onsite and that the destroyed habitat is recreated and enhanced for reptiles.

An updated extensive mitigation strategy will need to be submitted to us for approval prior to determination and include the following;

- A detailed methodology for the report detailing how and when the assessment was undertaken
- Full details on the methodology for the reptile translocation, the information within point 3 of the mitigation proposal principles is not suitable,

- Details regarding the creation of good quality habitat that is linked to the wider landscape and site boundaries. The new reptile habitat will need to provide food foraging areas, basking areas and refugia.
- We require that areas of long unmanaged grass and scrub are incorporated along the tree boundaries (a minimum of 10m strip from the treeline).
- Log piles will also need to be created to provide alternative habitat for the reptiles.
- Further information on the future management of the site.

### **Barn Owls**

A buffer zone should be included around the long grass and scrub on the site boundaries to ensure there is still foraging habitat retained onsite for barn owls.

A barn owl box will also need to be installed on the eastern tree line on the site.

### **Bats**

The hedgerows on site are used by bats for commuting and foraging and will need to be retained and enhanced for bats. This will include having a buffer strip around the hedgerows (5m) and during construction fencing should be used to ensure this area is undisturbed. Any gaps should also be filled in using native hedge species to improve connectivity. Where any hedge is to be removed at detailed within the survey, new hedgerow should be planted. Conditions should be used to ensure this.

The lighting scheme for the site will need to take into consideration the presence of bats in the local area and the scheme should minimise potential impacts to any bats using the trees, hedgerows and buildings by avoiding unnecessary artificial light spill through the use of directional light sources and shielding.

### **Nesting Birds**

Any works to the trees or vegetation clearance on the site should only be undertaken outside of the bird breeding season which takes place between 1<sup>st</sup> March – 1<sup>st</sup> October. If works are required within this time an ecologist will need to check the site before any works take place (with 24 hours of any work).

### **Enhancement Plan**

We have noted that a Wildlife and Habitat Improvement and Mitigation Summary (appendix 2b) has been submitted for the application. As detailed above please can we have the following details - who undertook this assessment and wrote the report, the company they work for and there membership status within the CIEEM. Along with enhancements included within the summary, we would also require the creation of a wildlife pond onsite to benefit amphibians, the planting of fruit trees and bushes and 2:1 ratio replanting for the site. We also require that a plan is submitted detailing the location of these features, with further information on the planting scheme to be included within a landscaping plan submitted as part of a reserve matters application.

### **LEMP**

17.12.2018

We will also require that a Landscape and Management Plan (LEMP) is compiled for the site detailing the management and maintenance of the site once construction has ended. A condition should be used to ensure this takes place and the plans submitted to us for approval at reserve matters stage.

Kind Regards

Liz



**Liz Rogers**

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