





From: Richard Cowser 
Sent: 06 February 2018 17:38
To: David Easton
Cc: Chloe Rose; Alison Giacomelli
Subject: Fw: P/140/16/OUT

Apologies David,

I meant to address this to yourself, not to David Innes

Richard



From: Richard Cowser
Sent: Tuesday, February 6, 2018 5:29 PM
To: David Innes
Cc: Chloe Rose ; Alison Giacomelli
Subject: P/140/16/OUT

Dear David,

Attached is a formal letter from the SOS objecting to the current mitigation proposals from the developers. Also attached is a photograph of Brent Geese grazing on the P/140/16 site. You can see on the right-hand side that they are alongside Pagham Road (ref point 4 in the letter).

In our response we have outlined what steps would need to be taken for these mitigation proposals to be acceptable. These alternative proposals have been discussed with the RSPB and we believe that they will be responding to you shortly. I am also copying this letter to Ali at Natural England so that she is aware of our concerns with the currently proposed mitigation measures and can understand how we want them modified.

Point 16 of the attachment draws your attention to the fact that PAGAM have made us aware that the four North and South Pagham development sites have bats. It is the SOS's opinion that a full bat survey needs to

be carried out and the flight lines (foraging routes of bats) be established before any of the 4 developments are considered for approval. With the evidence that SOS/PAGAM provided in the survey of Pagham Road residents (see SOS letter of 9 Aug 2017) it is clear that bats are regularly seen along Pagham Road. I am not aware that the developers have provided any information on bats.

As we point out in point 17, SOS fundamentally believes that it is wrong to develop any site on which Internationally important numbers of Brent Geese forage in winter. We are very reluctant to accept that the loss of foraging sites can be mitigated for, as there will come a point where they can't be, and we believe it is wrong that such a course of action is being considered rather than that this development is not being dismissed outright. However, we recognise where the planning process is at, but are adamant that mitigation has to fully compensate for the potential loss of this development site. If it isn't Brent Geese will be affected.

Please give me a call if you have any queries or need anything clarified.

Best wishes,
Richard Cowser
SOS Conservation Officer




SUSSEX ORNITHOLOGICAL SOCIETY

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6 February 2018

By e-mail only

Mr David Easton,
Planning Department,
Arun District Council,
Maltravers Road,
Littlehampton,
West Sussex BN17 5LF

Dear David,

Planning Application P/140/16/OUT – response to Ecology Solutions mitigation
proposals for Pagham South, dated December 2017

- 1) The Sussex Ornithological Society (SOS) does not believe that these mitigation proposals adequately offset the loss of Brent Geese foraging grounds that will arise were the above development to proceed. However, we acknowledge that Ecology Solutions, working with Natural England, have put forward some proposals, which, if expanded could form the basis of adequate mitigation.
- 2) However, until adequate mitigation can be agreed to SOS believes that this development should not be approved.
- 3) The development site covers 22.7ha. Section 2.20 of the mitigation proposal acknowledges that an area equivalent to 18.7 ha of land a year on the development site (i.e most of it) was planted in the six years between 2011/12 and 2016/17 with winter wheat and other crops, making the land suitable for Brent Goose foraging habitat. Unfortunately the records of the exact area covered by each of these mixed crops has not been made available to us, so exactly how much of the 18.7ha was planted with winter wheat has not been disclosed by the developers, but we believe it is more than half. Given this, SOS accepts that some discounting of the 18.7ha mitigation figure is warranted.
- 4) Section 2.21 claims that some discounting of this acreage should also be applied as it claims that Brent Geese will not use the site close to Pagham Road because of disturbance from traffic and people. This is not true, as the attached photograph clearly demonstrates. Pagham Road acts as a buffer between humans and the geese as the footpath is on the east side of the road and geese are not disturbed by vehicles passing along Pagham Road. In the photograph they can be seen grazing close to the road, making full use of the P/140/16 site.

- 5) What the mitigation proposals fail to recognise is that foraging Brent Geese also use land immediately to the west of the development site and that birds using this area could also be affected by the proposed development. The development will encourage the use of a public path between the development site and the adjacent foraging fields to the west, and as a result we believe that a further foraging area could be lost, as Brent Geese will not graze right up to a public footpath being used by humans including dog walkers, many of whose dogs will no doubt be off their leads, and with many of the walkers no doubt talking to each other or to people on their phone.
- 6) Section 2.1 says that additional planting will be undertaken along this footpath to shield walkers and their dogs from the adjacent fields to the west. This we feel is inadequate. We believe that the fields need to be made dog proof by the erection of a robust non-degradable fence along the path as well as there being additional planting along the footpath – perhaps two fences with hedge planting in between which can mature and grow through the fences. Unless the field is made dog proof we believe that an additional area will be lost for foraging Brent Geese approximating to several further ha (we do not have the cropping history of this area so cannot calculate the exact further area under threat, but we believe it could be several ha).
- 7) We also believe that the proposed education package for residents needs to ensure that they understand how important these fields may be for Brent Geese and that it emphasises how important it will be for footpath users to be quiet and discreet during the winter months.
- 8) The proposed mitigation is to make a 5ha plot adjacent to the SPA and north of the Breech Pool permanent grassland, with some scrapes (wetland pools). This field (known to the developers as 9309) is low grade agricultural land, much of which is permanently fallow, and which had 60% standing water on it week of 9 January 2018 (photo available). Undoubtedly planting it with permanent pasture would be attractive for foraging Brent Geese in winter, provided the grass height was managed and did not become too long for them. It is also a good site for breeding birds (a pair of Little Ringed-Plover bred there in 2016) and with the creation of scrapes and appropriate management could also become better for breeding waders, giving it a year-round bird-appeal. So we welcome this aspect of the mitigation proposals. However, the creation of 5ha of permanent pasture does not offset the loss of Brent Geese foraging on the 22.7ha development site.
- 9) Instead we believe that the whole of field 9309 (7.04ha) should become permanent pasture, rather than just 5ha of the field. We would like RSPB, who have many years' experience of managing habitats for birds, to agree with Natural England (NE) and the land owners the way in which this 7ha of permanent pasture should be managed. It probably should be both grazed and cut: grazed to ensure that it becomes attractive for breeding waders in the summer and cut to ensure that the grass is not too long for wintering Brent Geese.
- 10) However, 7ha of permanent pasture would not provide one-for-one mitigation for the loss of the 22.7ha development site P/140/16 - additional mitigation is needed. The SOS would like to see the two fields immediately to the north of 9309 [fields SZ8798 9029 (8.45ha) and SZ8898 1141 (4.32ha)] sown with either winter wheat or a clover mix suitable for Brent Geese at least once in every three

years, thereby providing the equivalent of another 4.25ha of Brent Geese foraging per annum. Field 9029 is also low grade agricultural land and on the morning of 17 January it was partly flooded in the middle and along its eastern boundary. (Photograph available).

- 11) The mitigation proposal also proposes removing three hedges to improve sightlines for Brent Geese. We oppose the wholesale removal of these hedges, as other wildlife would be adversely impacted. However, we acknowledge that some very selective removal may be desirable to improve flight lines for Brent Geese. Again, we would like the RSPB to be involved with NE and the land owners in defining exactly what parts of any of the three hedges should be removed.
- 12) The proposal to permanently ban the use of bird scarers in the 18.5 ha of fields to the north of field 9309 is welcome, and is also essential.
- 13) To summarise:
 - We believe that the fencing along the footpath west of the development site needs to be made dog proof, otherwise we believe that the loss of additional geese foraging area will need to be mitigated for.
 - We believe that 7.04ha, rather than 5ha of permanent pasture needs to be created, i.e. the whole of field 9309 needs to be converted to permanent pasture, and that RSPB needs to be involved in specifying the precise management of the permanent pasture so that it becomes attractive for both wintering Brent Geese, but also for breeding waders in the summer.
 - We believe that additional mitigation of another 12.75ha of fields needs to be provided, and that these should be planted one year in three with crops that are suitable for foraging Brent Geese.
 - We welcome the proposal to have an 80-year ban on bird scarers on 18.5 ha of land, and believe that this is an essential part of the mitigation package.
 - We oppose the wholesale removal of three hedgerows to improve sightlines, and believe that any removal of hedges needs to be selective so that it is in the interests of all wildlife.
- 14) Unless and until such a mitigation package can be agreed the SOS will continue to oppose the approval of planning application P/140/16/OUT.

We would like to make two further points:

- 15) The SOS does not believe that the site for P/140/16 should be developed at all as it is so near the Pagham Hbr SPA. We have become aware that PAGAM have information about the use of both the North Pagham and South Pagham development sites by several species of bat, including one of the UK's rarest species, and note that 21 of the 37 respondents to the survey of residents on the Pagham Road survey, mentioned that they regularly see bats (see Appendix 1 of the SOS letter of objection dated 9 August 2017). We therefore urge Arun DC to ensure that a full bat survey is carried out, which includes mapping Bat flight lines (i.e where they go to forage) so that the impact of these developments on bats can be properly assessed. No such assessment has yet been carried out. It is clearly needed.
- 16) SOS is conscious that few 6-figure records (ie records down to the nearest 100 square meters) exist of the sites around Pagham Hbr that are used by foraging

Brent Geese, although there are numerous 4-figure grid reference bird records. (ie records at the one square kilometre level) RSPB and SOS are now starting a programme of surveys to map in detail crop usage and Brent Geese foraging sites with a view to establishing detailed maps of where the geese forage. When this is done we would expect Natural England to work with Arun and Chichester District Councils to ensure that the foraging areas shown on this map are protected from development. If they are not the internationally important population of wintering Brent Geese at Pagham Harbour will be put at severe risk.

Had this mapping been done and the necessary agreements to protect the mapped sites been in place the development site for P/140/16 would have been on the map, and this site would therefore have been excluded from development. We therefore do not believe that planning approval for this site, or for any site that is regularly used by foraging Brent Geese, should be approved, period.

However, we recognise that planning has been agreed in principle, via the Local Plan, for this site to be developed provided suitable mitigation can be provided, and it is on this basis that we are responding to the current, inadequate proposals for mitigation.

Yours sincerely,

Richard Cowser
(SOS Conservation Manager)

