

Q 5.17 Question to Applicant

Bat surveys Please respond to concerns raised on the limitations and extent of surveys for bats, particularly in relation to roosting and foraging (e.g. [RR-001 and RR-083]).

Response Q 5.17 by Applicant

The Applicant undertook surveys as outlined in Table 2-6 of ES Chapter 8: Biodiversity (App Doc Ref 5.2.8) [AS-026]. These were preliminary bat roost assessments, aerial tree assessments, and bat emergence and re-entry surveys within the Order Limits plus 100m buffer; bat activity transects within the proposed WWTP, the existing Cambridge WWTP and adjacent to the River Cam, including the treated effluent discharge outfall to the River Cam; and static surveys at four locations within the Scheme Order Limit. The results of the surveys are provided within ES Appendix 8.7 Bat Technical Appendix (App Doc Ref 5.4.8.7) [APP-092], and impacts are assessed within ES Chapter 8 Biodiversity (App Doc Ref 5.2.8) [AS-026].

The surveys were carried out in line with the Bat Survey Guidance (Collins 2016), and the approach for these was agreed with the Technical Working Group in 2019 (Table 8-12 in ES Volume 4 Chapter 4 Appendix 4.2 Scoping Report (App Doc Ref 5.4.4.2) [APP-080]), with limitations presented within ES Appendix 8.7 Bat Technical Appendix (App Doc Ref 5.4.8.7) [APP-092]. The limitations that occurred were taken into consideration when assessing impacts, and a precautionary approach was taken. The surveys carried out allowed the Applicant to understand the species assemblages present, and assess the impacts of the proposed development on them.

Information that was deemed sensitive was redacted to protect species.

Whilst records of western barbastelle were recorded during the surveys, no roosts were found for this species. Western barbastelle were recorded during transect surveys on Low Fen Drove Way Grasslands and Hedges CWS, approximately 30m to the north of the A14 (280m east of the River Cam) and approximately 280m to the south of the A14 (60m east of the River Cam). The habitats associated with these records will be retained. Further survey (for example radio-tracking) would be disproportionate to the assessed impacts on this species, because there is no loss of any roost for this species, with retained (and creation of new) commuting and foraging routes.

The proposals will include significant planting and habitat enhancement (as documented within ES Appendix 8.14 Landscape, Ecological and Recreational Management Plan (App Doc Ref 5.4.8.14) [AS-066]) of benefit to bat species (including western barbastelle), with no roost loss for this species.

I would like to make the following comments.

The applicant has not responded to the question asked and reiterates existing information. However they appear to acknowledge that the surveys did not comply with best practice and I presume with the approach agreed with the Technical Working Group in 2019.

It is not an unreasonable request that the applicant complies with good practice and minimum agreed effort?

There is no necessity for additional surveys, only that the applicant complies with a minimum survey effort. Furthermore the queries raised in 5.17 indicated that insufficient information was presented to allow independent assessment of the limitations of the surveys and this additional information request has not been addressed.

Until these agreed surveys are carried out satisfactorily, any conclusions with respect to bats, impacts and licencing can only be regarded as provisional. The extent of usage by barbastelle bats cannot be established without this basic baseline. Furthermore the argument that "no roosts or foraging and commuting routes are affected because none are present" becomes circular since without the activity surveys it cannot be proved that there are not effects on unidentified roosts nor can the extent of effects on foraging and commuting bats be properly quantified.

As such the examining authority, acting in their capacity as Competent Authority, would have difficulty to prove beyond reasonable doubt that there is not an impact on the Wimpole Woods SAC or interlinked populations of barbastelle bats. Nor can the examining inspector demonstrate with confidence that the three tests required for grant of an EPS licences for bats are likely to be met viz the purpose test – e.g. 'imperative reasons for overriding public interest', the 'no satisfactory alternative' test and the 'favourable conservation status' test.

Furthermore there is the potential that there may be other breeding populations of Barbastelle to those of Wimpole SAC present closer to Cambridge which would enjoy equal protection. I highlight to the inspector the BCT position statement for the Western Distributor Road in Norwich, where a nationally significant breeding population was found during compliant surveys and is viewed as having SAC status:

<https://www.bats.org.uk/our-work/biodiversity-policy-advocacy/position-statements-1/bcts-position-statement-on-the-proposed-norwich-distributor-road-western-link>

Suitable locations for such a breeding colony could include the veteran trees within Quy Fen and the mature woodland at Anglesey Abbey where I have noted the species is also present.

I also highlight Appeal Ref: APP/Q0505/W/23/3323130 Owlstone Croft, Owlstone Road, Cambridge CB3 9JJ, where barbastelle bats were documented foraging adjacent to the application site.

I would politely suggest that

1. the applicant is asked to respond directly to the queries raised
2. a named ecologist acting for the applicant under a professional code of conduct formally responds to the examination

as to whether the applicant's surveys were or were not compliant with good practice and/or the required specification.  
3. the Inspector requests that any additional surveys required to meet compliance are carried out during 2024 and to be presented to the examination prior to its formal closure  
4. the Inspector highlights this issue with survey data to Natural England.

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I also note that additional guidance is now in force [Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)] and that the Inspector could request that the applicant demonstrates that survey effort complies with this guidance.

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I am happy to make additional submissions on this subject should they assist the examination.